

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70486 of 2023

Arising Out of PS. Case No.-303 Year-2022 Thana- HISUWA District- Nawada

Uttam Kumar Rajwar @ Uttam Kumar S/O Krishna Rajwar R/O- 72/1, Grey Street, Ps. Beadon Street, Dist. Kolkata (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Ranjan

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Hisua P.S.
Case No. 303 of 2022 registered for the offences punishable
under Section 302/34 of the Indian Penal Code pending in the
Court of learned C.J.M., Nawada.

3. As per the prosecution case, the informant
alleged that the petitioner along with other co-accused person
killed the son of the informant. On 24.05.2022 village choukidar
informed him that the dead body of his son was lying at the
police station. Thereafter, informant and his relatives went there
and identified the dead body.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not specific



rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner and the petitioner is not named in the F.I.R.. He submits that the petitioner is made accused in the present case on the basis of confessional statement of co-accused, Priti Kumari, who is sister of the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that there is ample evidence against the petitioner in the case diary. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

