

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69936 of 2023

Arising Out of PS. Case No.-223 Year-2022 Thana- HATHAURI District- Muzaffarpur

Ajali Devi @ Anjila Devi W/O Ramkaran Rai @ Rajkaran Rai R/O Village-
Jagarnathpur, P.S- Hathauri, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Hathauri P.S. Case No. 223 of 2022 registered for the offences punishable under Section 302/34 of the Indian Penal Code pending in the Court of learned J.M.-1st Class, Muzaffarpur (East).

3. The informant alleged that the four FIR named accused persons including the petitioner have assaulted the informant's daughter on her head, resulting in her death.

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 the date of occurrence is 28.08.2022 and the case was lodged



on 01.09.2022, there is delay of 4 days in lodging the FIR. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that witnesses have supported the prosecution case in their respective statements recorded in paragraphs 7, 8, 9, 20, 21 and 22 of the case diary.

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 without being prejudiced by this order, considering the fact that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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