

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82363 of 2024

Arising Out of PS. Case No.-223 Year-2024 Thana- NARPATGANJ District- Araria

Dilip Purwe @ Dilip Prasad Purwe S/o- Late Krityanand Purwe Village-
Khaira Ward No- 02, Araria Khagra Police Station- Narpatganj District -
Araria

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Narpatganj P.S. Case No. 223 of 2024 instituted for the offences under Sections 302, 201, 120B, 34 of the Indian Penal Code.

3. Allegation against the accused persons including the petitioner is that they have committed the murder of the son of the informant.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned



counsel further submitted that there is a delay of two days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. There is no eye-witness to the occurrence. It has been submitted on behalf of the petitioner that the petitioner has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that petitioner is named in the FIR. Learned counsel further submitted that as per post-mortem report, the deceased died of asphyxia due to hanging.

6. Considering the aforesaid facts and circumstances of the case and petitioner being named in the FIR as also the nature of allegation, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for grant of bail is rejected.

7. However, liberty is granted to the petitioner to surrender before the learned court below and pray for regular bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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