

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3298 of 2024

Arising Out of PS. Case No.-93 Year-2023 Thana- BENIPATTI District- Madhubani

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ARUN KUMAR SAFI @ ARUN SAFI SON.OF RAM KISHOR SAFI R/O.
OF. VILLAGE-MUKHIYA-PATTI- PS,-SAHARGHAT,-DIST.-
MADHUBANI

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Mahto, Adv

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioner, learned APP

for the State along with Mr. Vatsal Vishal, learned counsel

appearing for OP No. 2 who has appeared *suo motu*.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered in connection with Benipatti PS Case
No. 93/2023 dated 08.05.2023 for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner has been implicated falsely in the case under
Section 302 of the IPC read with other sections. It is next
submitted that from perusal of the allegation as alleged in the
FIR, it would be manifest that the informant alleged that her son
was on cordial terms with accused persons including the



petitioner who was involved in illegal liquor business, further her son had accompanied the petitioner on a motorcycle along with accused persons for attending marriage of the son of one Kishan Ram. It is next submitted that all the accused persons came back except her son and when she inquired from the petitioner and other, they did not disclose about his whereabouts and later his dead body was recovered. Learned counsel submits that the petitioner has falsely been implicated in the present case. It is next submitted that from the perusal of the allegation as alleged in the FIR, it would manifest that the informant herself has stated that the petitioner was on good terms with her son. As such, there appears no reason why the petitioner would have killed her son. It is also submitted that the informant is not an eyewitness to the occurrence.

4. Learned A.P.P. along with learned counsel for the informant oppose the application for anticipatory bail and rebut the submissions of learned counsel for the petitioner and submit that a Co-ordinate Bench of this Court *vide* order dated 31.01.2024 passed in Cr. Misc. No. 86587/2023 rejected the anticipatory bail application of similarly situated accused, Amit Kumar. It is also submitted that the specific allegation is alleged against Amit and Arun that the deceased had accompanied them



on their motorcycle.

5. Considering the submissions made by the learned counsel for the informant, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner. The same is, hereby, rejected.

(Satyavrat Verma, J)

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