

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15209 of 2015

Arising Out of PS.Case No. -103 Year- 2014 Thana -BRAHMPUR District- BUXAR

Baij Nath Rai @ Satish Kumar son of Ramadhar Rai, Resident of village-
Kosdihra, P.S. Sandesh, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 06-07-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Section 302 and other sections of the Indian Penal Code.

The F.I.R. is lodged against unknown for recovery of
the dead body of Kamta Thakur by the side of NH-84. Ramawati
Devi, the daughter-in-law of the deceased, disclosed that the
petitioner called her father-in-law from Gujarat to settle the land
dispute and the petitioner was last seen with the deceased. It is
submitted that except the evidence of last seen with the deceased,
there is no tangible evidence to show the involvement of the
petitioner in the killing of Kamta Thakur. It has come during the
course of investigation that the petitioner has got land dispute with
the deceased, but it appears from perusal of para 48 & 49 of the
case diary that the petitioner had a talk with the deceased in and

around the place of occurrence on mobile and the location of the petitioner was found in and around the place from where the dead body was recovered.

Considering the facts aforesaid, I do not feel inclined to enlarge the above named petitioner on anticipatory bail in Brahampur P.S. Case No. 103 of 2014. Accordingly, the same is rejected.

The petitioner is directed to surrender in the court below within four weeks from the date of receipt / production of a copy of this order and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner on its own merits without being prejudiced from this order.

(Prabhat Kumar Jha, J)

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