

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35217 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -PIRI BAZAR District- LAKHISARAI

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Pramod Mahato @ Pramod Kumar, S/o Late Ram Saran Mahato Resident
of village- Bhirha, P.S.- Medni Chowki, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 02-09-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Piri Bazar P.S. Case No. 61 of 2015 registered under Sections 302,
201 and 120(B) of the Indian Penal Code.

The accusation is that eight persons including the
petitioner along with two unknown persons reached at the house
of the informant and asked Baleshwar Yadav, brother of informant
to move for some work then his brother said that his Rs.40,000/- is
already due and he will go for work after receiving dues money.
When Bijay Singh and this petitioner assured to give money then
Baleshwar Yadav moved from house. After four to five hours, one
Tempo was seeing coming in the village and from the tempo a

dead body was thrown, which was identified as dead body of Baleshwar Yadav, brother of the informant.

Learned counsel for the petitioner submits that according to the F.I.R., informant had seen throwing a dead body from the tempo and the inquest report was prepared at about 6 A.M. on the next morning but F.I.R. was registered at 11.30 A.M. which itself creates doubt about the prosecution case.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the Court below within four weeks and prayer for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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