

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.506 of 2019

Arising Out of PS. Case No.-651 Year-2015 Thana- SITAMARHI District- Sitamarhi

Sudhir Kumar @ Mohan S/o Ram Dinesh Mahto Resident of Ward No.13,
Kachripur, Koriahi, Bajpati, Madhuban Basaha, P.S. Bajpati, Distt.-Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-03-2019 This is an application for grant of anticipatory bail in connection with Sitamarhi P.S. Case No. 651 of 2015, disclosing offences under Sections 302, 201 and 34 of the Indian Penal Code.

Allegation as per F.I.R. is that in the night of 15.08.2015 an information received by the police on mobile that the minor of the informant had a call and after some times, she was missing from the house and later on 17.08.2015 sandals and dupatta was found near a river and on search, the dead-body of the deceased was found from the river. Petitioner is not named in the F.I.R. Later on, name of the petitioner was transpired on the basis of confessional statement of one Nitish Kumar.

Submission of learned counsel for the petitioner is that except confessional statement of Nitish Kumar, there is



absolutely nothing against the petitioner and there was love affair between Nitish Kumar and the deceased and also with Mangal Mahto, who is maternal uncle of the petitioner, who had also an evil eye on the deceased and the petitioner has falsely been implicated in this case and nothing concrete come even in the confessional statement.

Heard learned A.P.P. also, who opposed the prayer for anticipatory bail of the petitioner stating that the confessional statement of Nitish Kumar disclosed that Mangal Mahto called the deceased and at that time the petitioner was also present there and Mangal Mahto told Nitish Kumar to flee away.

Having heard both sides, in view of the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner, rather he should surrender before the court below within a period of six weeks and make prayer for regular bail that will be considered on its own merit, without being prejudice by order of this Court.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

U		T	
---	--	---	--

