

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12838 of 2019**

Arising Out of PS. Case No.-285 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

MUNNA KUMAR Son of Bhola Mahto Resident of Village- Ekderwa, P.S.-
Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava
For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 30-04-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Baikunthpur P.S.Case no.285 of 2018 registered for offences punishable under Sections 302, 201, 120B of the Indian Penal Code.

Prosecution case is that the brother of the informant was called by one Seema Kumari, in the morning he was not found and when they started searching, they found dead body of the deceased and saw the accused persons including the petitioner fleeing away.

Submission of the learned counsel for the petitioner is that the materials collected during the course of investigation disclose that there was love affair between Seema Kumari and the deceased and the deceased was assaulted by the family



members of Seema Kuamri . The petitioner has falsely been implicate I n this case.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that he was identified by the informant and others and the same has further found support from para 10 and 11 of the case diary as the petitioner and others were seen dragging the deceased and fleeing away from the place of occurrence. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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