

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33598 of 2019**

Arising Out of PS. Case No.-199 Year-2018 Thana- KARJA District- Muzaffarpur

RAHUL KUMAR @ DIWAKAR KUMAR @ DIWAKAR Son of Upendra  
Ray Resident of Village - Bangari, P.S.- Karja, District- Muzaffarpur

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Bela Singh, Adv.

For the Opposite Party/s : Mr.Rajesh Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

4      06-08-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Karja P.S. Case No. 199 of 2018 registered for the offences punishable under Sections 363, 364,302,120B and 201 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case the allegation against the petitioner is that he has kidnapped Sri Jai Prakash Narayan, the son of the informant, under conspiracy and murdered him for ransom with the help of his companions.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The name of the petitioner has transpired in the confessional statement of



co-accused Ajay Pandey. It is further submitted that during the investigation no evidence has come to connect this petitioner with the present case.

Learned APP has opposed the prayer of anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is stated that process under Sections 82 and 83 of the Cr.P.C. has already been issued against the petitioner and from the C.D.R. locations of the co-accused and the petitioner they are found nearer to each other and there are materials to connect this petitioner with the offence, keeping in mind the judgment of the Hon'ble Apex Court in the case of **Lavesh Versus State (NCT of Delhi)** reported in **(2012) 8 Supreme Court Cases 730**, this Court is not inclined to grant privilege of anticipatory bail to the petitioner above named. His prayer is, thus, refused.

**(Rajeev Ranjan Prasad, J)**

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