

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68786 of 2018

Arising Out of PS. Case No.-479 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

Lal Mohan Kumar Rai @ Lalbabu Kumar, Son of Nagendra Rai, Resident of
Village- Subhai, Marizabad, Police Station- Sadar in the District of Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Sunil Kumar, Advocate
For the State	:	Mr. B.N. Pandey, APP
For the Informant	:	Mr. Mritunjay Pd. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 25-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 363 and 307/34 of the Indian Penal Code registered in connection with Sadar P.S. Case No. 479 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of dispute with the father of the so-called victim boy who was employer of the petitioner and his labour charge of Rs. 7200/- was not being paid to the petitioner despite repeated requests. The petitioner claim clean antecedents.

4. Learned APP assisted by learned counsel for the informant opposes the anticipatory bail petition. Learned APP submits on the basis of the case diary that the statement of the victim boy has been recorded under Section 164 of the Cr.P.C. in which he has categorically supported the prosecution case stating that the petitioner along with co-accused Dharmendra Kumar had taken him away and tied with plastic rope around his neck and tightened the same. He fell unconscious and left for dead. Subsequently, he was found lying unconscious and upon information given, the family



members of the victim boy reached there and brought him to Sadar Hospital. In paragraphs 7, 8, 11, 12 and 13 of the case diary, the prosecution case has also been supported by several witnesses. The injury report corroborates the accusation of tying with the rope around the neck of the victim boy.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

BT/Chandran

(Vikash Jain, J)

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