

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73468 of 2019**

Arising Out of PS. Case No.-94 Year-2019 Thana- KUTUMBA District- Aurangabad

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GUPTA MEHTA @ GUPTA KUMAR Son of Ramlakhan Mahto Resident of
Village - Daulatpur Ganj, P.S.- Obra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Yogendra Kumar

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

3 12-12-2019

This application, for grant of anticipatory bail, arises out of Kutumba P.S. Case No. 94 of 2019, disclosing offences under Sections 302, 201 and 34 of the Indian Penal Code.

Prosecution case is that one dead body of a female was recovered and F.I.R. was lodged against unknown. Later on name of the petitioner transpired on the basis of statement of one witness, who has categorically stated that petitioner and other accused persons have killed the deceased.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case only on the basis of suspicion and he is no way related either to the deceased or her family members.

Learned counsel for the State opposed the prayer for anticipatory bail of the petitioner on the ground that he has been



named by one of the witnesses.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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