

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9572 of 2020

Arising Out of PS. Case No.-251 Year-2016 Thana- AHIYAPUR District- Muzaffarpur

PRAMOD KUMAR PANKAJ Son of Late Narayan Paswan Resident of
Village - Chak Mohamad, P.S.- Ahiyarpur, District- Muzaffarpur

... .. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-09-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Ahiyapur
P.S. Case No.251 of 2016 registered for the offences punishable
under Sections 302 & 120 B of the Indian Penal Code and
Section 27 of the Arms Act, pending in the Court of learned
Chief Judicial Magistrate, Muzaffarpur.

The prosecution case, in brief, is that informant's
son was married with one Anjali Kumari, the daughter of the
petitioner, in the year 2015. Due to some dispute, the matter
came before the Court and the Court directed informant's son
to keep Anjali Kumari with him. Due to this, the father of



Anjali Kumar (petitioner) and his family members were annoyed and they gave threat to kill Rakesh Kumar. On 30.03.2016 at 1 PM, the petitioner along with other co-accused called Rakesh Kumar on phone in an orchard and shot him dead.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. From perusal of the F.I.R., it is evident that suspicion was raised against the petitioner and no one has seen the actual occurrence even informant herself has seen the accused persons as fleeing away from the place of occurrence. Petitioner has no criminal antecedent.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the petitioner is named in the F.I.R. and there is direct allegation against him for killing the son of the informant. Hence, he does not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the



learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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