

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 6997 of 2020

Arising Out of PS. Case No.-107 Year-2019 Thana- GAUNAHA District- West Champaran

VIDYAKISHOR RAM @ VIDYA KISHOR RAM Son of Late Lachhan Ram
Resident of Village- Belsandi, P.S.- Gaunaha, District- West Champaran at
Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Raghunandan Kumar Singh, Advocate
For the State	:	Mr Murli Dhar, APP
For the Informant	:	Mr Bimlesh Kr Pandey, Advocate

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 26-06-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner apprehends arrest in connection with Gaunaha Police Station (for brevity, PS) Case No 107 of 2019 dated 26.10.2019 instituted for the offence punishable under



Section(s) 302/34 of Indian Penal Code.

Allegation is that the petitioner and one Vanshi Paswan have taken the deceased along with them from his house. Later, in the night, informant (wife of deceased) was informed that the deceased was lying on the road near the Tempo. The informant cast suspicion on the petitioner and co-accused Vanshi Paswan.

Petitioner's counsel submits that other than suspicion, there is no material to connect the petitioner to the alleged occurrence. The deceased, as per first information report, had gone on his own will and there is no allegation that the petitioner and co-accused Vanshi Paswan had forcibly taken away the deceased from his house.

The learned APP for the State and the learned counsel for the informant have opposed the prayer for anticipatory bail referring to paragraph 16 of case diary. It is submitted that Night Guard of a Chimney, namely, Dashai Ram has given statement that he saw the petitioner along with co-accused Vanshi Paswan taking the deceased out of the Tempo. It is further submitted that the circumstances are not as such that the petitioner can claim the benefit of anticipatory bail.

Considering the rival submissions and the material



collected during course of investigation, this Court is not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Madhuresh Prasad, J)

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