

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9544 of 2020

Arising Out of PS. Case No.-237 Year-2019 Thana- SHERGHATI District- Gaya

Dr. Ramchandra Kumar @ Ramchandra Kumar, aged about 42 years, Male,
S/o Mahadev Yadav, R/o village- Daulata, P.S.- Konch, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Babu, Advocate
For the State : Mr.Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 14-09-2020 Heard the parties through the virtual court proceeding.

The petitioner apprehends his arrest in connection with Sherghati P.S. Case No. 237 of 2019 registered for the offences punishable under Sections 302/201/34 of the Indian Penal Code.

Allegation against the petitioner is that the deceased Abhishek Kumar Sinha (Bhatija of the informant) went to meet his cousin Ashutosh Kumar Sinha in Rafiganj mela and both the deceased persons thereafter went to Deo at about 7.00 P.M. but did not return till night. It has been further alleged that on 25.09.2019, the informant was informed by P.S. Deo that the



dead bodies of two deceased persons have been found and upon this informant and other persons went to P.S. Amas to identify his Bhatija and Bhagina and came to know that the dead bodies of deceased persons have been sent to Magadh Medical, Gaya. It has been further alleged that thereafter, the informant and his other persons went to Magadh Medical, Gaya and identified the dead bodies of his Bhatija Abhishek Kumar Sinha and of his Bhagina Ashutosh Kumar Sinha.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and he is not named in the F.I.R.

Learned counsel for the State submits that process of Sections 82 and 83 Cr.P.C. has already been completed mentioned in paragraph-219 of the case diary on 12.01.2020 itself, hence, the anticipatory bail is not maintainable.

I have perused the case diary as well as the case record.

It appears that process under Sections 82 and 83 Cr.P.C. has already been completed, hence, the present application for anticipatory bail has now become infructuous.



Learned A.P.P. for the State has opposed the prayer
for bail.

Accordingly, this application is dismissed as having
become infructuous in connection with Sherghati P.S. Case
No.237 of 2019 pending in the court of A.C.J.M., Gaya.
However, the petitioner is directed to surrender before the
court below and the learned court below shall pass the order in
accordance with law without being prejudiced by this order.

The bail application must be disposed of on the same
day.

(Anjani Kumar Sharan, J)

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