

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35610 of 2020

Arising Out of PS. Case No.-176 Year-2019 Thana- GANGABRIDGE District- Vaishali

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Ajay Rai @ Ajay Kumar Rai @ Ajay Kumar, son of Mahipat Rai, Resident of village Saifpur, P.S. Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-04-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

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

The petitioner apprehends his arrest in connection with Ganga Bridge P.S. Case No. 176 of 2019, registered under Section 302/34 of the Indian Penal Code, pending in the court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

The accusation is that Vikash Kumar, aged about 19 years, younger brother of the informant, Amod Kumar, left the house for moving in Dashraha festival in the late evening of 08.10.2019 but he did not return. Thereafter, informant called him on mobile, who



informed that he is present near Pillar No.9 of Ganga Bridge and also asked to return after sometime. After sometime, when his brother did not return then he moved near Pillar No. 9 then saw that six persons including the petitioner with his brother are present there. When the informant asked his brother to come at house then Sanjay Rai and others told that they will come later on then he returned to his house. In the next morning, when his brother did not return then search was made then found that the dead body of his brother was found in the banana orchard.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case mere on suspicion and he has no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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