

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.910 of 2021

Arising Out of PS. Case No.-111 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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VIKASH KUMAR @ DEVID Son of Subodh Thakur Resident of Village -
Kushi Harpur Ramani, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan
For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Kanti P.S.
Case No. 111/2020 registered under Sections 302/34 of the
Indian Penal Code.

The prosecution allegation, in short, is that the
accused persons caught hold of the eldest son of the informant
and killed him.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per the F.I.R., the petitioner is alleged to have caught hold of the hand of the deceased but the main allegation is against the co-accused Jhunjhun Thakur @ Jitendra Thakur who is alleged to have pressed the neck of the deceased and the post-mortem report also corroborates the allegation levelled against the co-accused Jitendra Thakur.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The prayer is rejected. If the petitioner surrenders in the Court below, the same shall be considered on its own merit without being prejudiced by this order taking into account that the allegation of assault is not alleged against the petitioner.

(Sudhir Singh, J)

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