

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34078 of 2021

Arising Out of PS. Case No.-378 Year-2020 Thana- DUMRA District- Sitamarhi

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BILASH SINGH @ RAM BILASH SINGH Son of Ram Surat Bhagat
Resident of Village - Majhauriya Tole Dhodhana, P.S.- Dumra, Dist.-
Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Uday Kumar
For the Opposite Party/s : Mr. Ram Naresh Ray
Ms. Preety Kunwar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 30-08-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State assisted by learned counsel for the informant.

The petitioner apprehends his arrest in connection with
Dumra P.S. Case No. 378 of 2020, registered for the offences
punishable under Sections 363, 364, 365, 302, 120B, 34 of the Indian
Penal Code.

As per allegation, Raju Kumar aged 15 years, son of the
informant went to purchase biscuit but he did not return. Initially the
case was lodged under Section 363 and 365 of the IPC but after
recovery of the dead body of Raju Kumar after 14 days of the FIR
Section 364 and 302/120 B/34 of the IPC was added.



Learned counsel for the petitioner has submitted that except suspicion there is nothing against the petitioner in the entire case diary. He has submitted further that there is no eye witness of the occurrence.

On the other hand, learned counsel for the informant has submitted that the co-accused Sunil Mahto in his self inculpatory confessional statement has given vivid description of the case disclosing the complicity of the present petitioner in the alleged occurrence. She has submitted further that on similar ground the anticipatory bail petition of Ajay Kumar @ Ajay Mahto has been rejected by this Court in Cr. Misc No. 43288 of 2021.

Co-accused Sunil Mahto has disclosed the complicity of the present petitioner as well as the complicity of himself in the alleged occurrence. There was previous enmity between the parties as at the instance of informant the petitioner has sold his land and the petitioner and other co-accused persons had threatened him to face dire consequences. As such, in my view, it is not a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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