

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43872 of 2021

Arising Out of PS. Case No.-159 Year-2021 Thana- KADAMKUAN District- Patna

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Ankit Kumar @ Tutu Son Of Upendra Mistri Resident Of Village- Dihura,
Police Station- Alipur, District- Gaya. At Present Resident Of Nala Road,
Opposite Of Pallavi Apartment Lane, Police Station- Kadamkuan, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 26-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 302 and 34
of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no eye witness of the occurrence.
He submits that there is no specific overt act against the
petitioner. He submits that after the occurrence, postmortem has



been done by the doctor who found only one injury on the head of the deceased and also found some drugs in the body of the deceased. He submits that during the investigation, the witnesses examined in the present case have not even said a single word about the petitioner. He submits that postmortem report has also not supported the prosecution case. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the petitioner is involved in the present case.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Kadamkuan P.S. Case No. 159 of 2021.

(Anjani Kumar Sharan, J)

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