

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43288 of 2021

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

AJAY KUMAR @ AJAY MAHTO S/O RAM REKHA SINGH R/O
DHODHNA MAJHAULIA, P.S-DUMRA, DISTRICT-SITAMARHI.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Kamal Kishore Singh
For the Opposite Party/s :	Mr.Shyam Kumar Singh
	Ms. Preety Kunwar

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

ORAL ORDER

4 23-08-2022 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 the
learned APP, Mr. J.N. Thakur assisted by the 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 363/365 of the Indian Penal Code on latter
under Sections 364, 302, 320(B)/34 of the Indian Penal Code.

The informant is father of deceased Raju Kumar aged 15
years. Initially the FIR was lodged against unknown as the boy was
missing but later on his dead body was recovered from heap of straw
and Section 302 of the IPC was added.

Learned counsel for the petitioner has submitted that at the



first instance, the FIR was lodged for missing of the deceased, against unknown person but later on the dead body was recovered and Section 302 of the IPC was added and he has submitted further that the name of the present petitioner along with co-accused Bilash Singh figured in self-inculpatory confessional statement of Sunil Mahto.

The learned counsel for the informant and the learned Addl.P.P. have submitted that the confessional statement of Sunil Mahto is explicit in which he stated that the present petitioner and Bilash Singh took away Raju Kumar and after killing him they concealed his dead body in heap of straw.

Considering the above-mentioned facts and circumstances and also considering that the investigation is still going on, I do not think it to be 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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