

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39741 of 2022

Arising Out of PS. Case No.-130 Year-2020 Thana- BIDUPUR District- Vaishali

Vikash Rai S/o Saryug Rai village - Bishanpur Diayara, Bhagtan Tola, Thana-Bidurpur, Vaishali, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Kumar Shanu, Advocate

For the Opposite Party : Mr. Ramchandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-12-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

The petitioner apprehend his arrest in a case registered for the offence punishable under sections 302, 201, 120 (B)/34 of the Indian Penal Code.

As per the F.I.R., the informant has alleged that the accused persons alongwith 9 known persons have killed his son and threw the deceased's body in the river.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case and the petitioner is not related to the accused person. He is the driver and was not



present at the date of the occurrence. Learned counsel for the petitioner further submits that no incriminating material has come against the petitioner in the case diary. Petitioner has no criminal antecedent.

Learned APP for the State as well as the informant vehemently opposed the prayer for anticipatory bail application as the petitioner is also involved in the present case.

Having regard to the facts and circumstances of the case and considering the nature of offence, I am not inclined to grant anticipatory bail to the petitioner. The prayer for grant of anticipatory bail to the petitioner is hereby rejected. However, petitioner is directed to surrender before the learned Court below within a period of six weeks from today and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law, considering the fact that there is no specific overt act against the petitioner.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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