

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11110 of 2023

Arising Out of PS. Case No.-161 Year-2022 Thana- PHULWARIA District- Begusarai

Chikku Kumar S/o Naresh Singh R/o Village- Suraj Nagar Nipaniya, P.S.-
Phulwariya, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 30-05-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

The petitioner seeks bail in connection with
Phulwaria P.S. Case No. 161 of 2022, registered for the
offences punishable under Sections 302, 120B and 201/34
of the IPC.

As per the FIR, it is alleged that the petitioner and
other co-accused person killed the son of the informant and
threw the dead body in river.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that only on account of some



scuffle having taken place between the petitioner and deceased six months prior to the alleged incident, he has been falsely implicated in the present case. It is further submitted that after investigation, the police has submitted charge sheet under Sections 364, 120B and 201/34 of the IPC and case under Section 302 IPC has not been found true.

He further submits that the petitioner has been languishing in jail since 23.09.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, learned counsel for the informant and learned APP for the State vehemently oppose the prayer of the petitioner for bail and submit that the petitioner is named in the FIR with allegation of direct involvement in the alleged offence. It is further submitted that mother of the deceased had witnessed to the alleged incident in which her



son has been killed by all the accused persons including the petitioner.

Considering the nature of allegation and the materials collected during investigation in support of alleged offence, this Court is not persuaded to enlarge the petitioner on bail.

As such, the prayer for bail of the petitioner is rejected.

(Jitendra Kumar, J)

Amrendra/-

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