

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11636 of 2023

Arising Out of PS. Case No.-65 Year-2022 Thana- VAISHALI District- Vaishali

Raju Kumar @ Raju Ray S/O Bhikhari Ray R/V- Muza, P.S.- Saraiya,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Niraj Kumar, Advocate
		Ms. Saloni Sinha, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP
For the Informant	:	Mr. Rajiv Ranjan Dwivedi, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State assisted by learned counsel for the
informant.

The petitioner apprehends his arrest in Vaishali P.S.
Case No. 65 of 2022 registered for the offences punishable
under Section 365, 302, 201 and 34 of the Indian Penal Code
pending in the Court of learned Chief Judicial Magistrate,
Vaishali at Hajipur.

As per the prosecution case, the son of the
informant has been murdered in conspiracy by Khusboo
Kumari and other co-accused persons and the petitioner is also
involved in the same conspiracy.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that



the petitioner is not named in the FIR and the name of the petitioner has been transpired in this case on the basis of secret information furnished by guptchar which found in Para-62 in the case diary. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State as well as learned counsel for the informant oppose the prayer for bail and submit that it is admitted fact that the deceased and one Khushboo Kumari was in love with each other and the petitioner is the maternal-uncle of Khushboo Kumari.

Considering the facts and circumstances of case, the nature of the offence and material available in the case diary, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

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