

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19616 of 2023

Arising Out of PS. Case No.-222 Year-2022 Thana- BIDUPUR District- Vaishali

Ravi Kumar Arvind Sahani Resident Of Village - Baghra Rasalpur, P.S. -
Mohanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Samarjeet Singh

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 26-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Bidupur P.S. Case No. 222 of 2022 registered for the offences punishable under Sections 363, 302/34 of the Indian Penal Code pending in the Court of learned J.M.-1st Class, Vaishali at Hajipur.

3. According to FIR, it is alleged that in the morning the accused persons entered into the house of the informant and kidnapped his son, Biru Kumar, and later on his dead body was found hanging on the tree.

4. 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 suicide note was also found from the place of suicide and



Supervising Authority has clearly directed to the I.O. to mention it in the case diary after getting opinion from the expert but the I.O. has nowhere mentioned suicide note in the case diary during investigation. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that there is ample evidence against the petitioner in the case diary. Hence, he does not deserve privilege of anticipatory bail.

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

7. 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)

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