

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21918 of 2023

Arising Out of PS. Case No.-445 Year-2022 Thana- SAHPUR District- Patna

VIKASH KUMAR S/O UMESH YADAV Resident of Village- Bhaptiyahi,
Ward No.- 15, P.S.- Bhaptiyahi, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-10-2023 Heard Mr.Arun, learned counsel for the petitioner and

Mr.Rajendra Prasad Nat, learned Additional Public Prosecutor

for the State.

2. The petitioner is apprehending his arrest in connection with Shahpur P.S. Case No.445 of 2022, FIR dated 06.09.2022 registered for the offences punishable under Section 365 of IPC and later on Sections 302,201,120(B)/34 of IPC was added.

3. Prosecution case as per FIR, in brief, is that informant's son namely Manish Kumar who had gone for fetching medicine in the market on 03.09.2022 did not return. Informant had only son in her family.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is not named in the



FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Santosh Kumar Soni. Further submits that except the confessional statement of the co-accused person, namely, Santosh Kumar Soni, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that on the basis of the confessional statement of the co-accused person, the dead body of the victim was recovered and tower location of the mobile of the petitioner suggests that he was present near the place of occurrence.

6. Considering the aforesaid facts, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Shahpur P.S. Case No.445 of 2022 pending in the court of learned Judicial Magistrate-1st Class, Danapur, Patna.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

