

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41056 of 2023

Arising Out of PS. Case No.-123 Year-2022 Thana- PIRI BAZAR District- Lakhisarai

Karan Kumar @ Karan Raj Son Of Mr. Rajesh Kumar Resident Of Village-
Ghosaith, Ps- Piri Bazar, Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Ms. Vaishnavi Singh, Advocate
		Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-10-2023 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner as well as Ms. Rina Sinha, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Piri Bazar P.S. Case No.123 of 2022, F.I.R. dated 26.08.2022 registered for the offence punishable under Sections 363,34 of the Indian Penal Code, later on Sections 364, 302, 201, 120(B) of the IPC were added.

3. The prosecution case, in short, is that deceased Virat Aryan @ Sonu Kumar was running a school nearby Piri



Bazar post office. One Rajesh Kumar has called Virat Aryan @ Sonu Kumar to participate in a birthday party through Whatsapp message and since Rajesh Kumar was cousin of his father-in-law, Ramakant Singh. Therefore, he went to participate in the birthday party. It was also alleged by the informant that Rajesh Kumar along with other family members of Ramakant Singh has made his son trace less and he was apprehending that his son had been murdered also. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that in paragraph-85, the statement of the driver of the ambulance was recorded, in which the driver demonstrate the complicity of the present petitioner with the alleged occurrence. Further submits that in paragraph-106 of the case diary the statement of the co-accused, namely, Rajesh Kumar was recorded in which he had stated the same story.



6. Considering the aforesaid facts, material available on records and in the case diary, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Piri Bazar P.S. Case No.123 of 2022 pending in the court of learned Judicial Magistrate, Ist Class, Lakhisarai.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Prakash Narayan

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