

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43779 of 2023

Arising Out of PS. Case No.-83 Year-2022 Thana- PIPRAKOTHI District- East Champaran

Pawan Kumar @ Akash Kumar Son Of Vinod Patel Resident Of Village
Godhwa, Po Pataura, Ps Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-10-2023 Heard Mr. Pravin Kumar, learned counsel for the
petitioner and Mr. Ajay Kumar Jha, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Pipra Kothi P.S. Case No. 83 of 2022, F.I.R. dated 18.03.2022 for the offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along with other accused persons have committed murder of the brother of the informant namely, Mumtaz Alam and his friend Mithun Kumar and threw their dead body near Mohanapul, Pipra Kothi.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from



perusal of the F.I.R it appears that there is no accusation of any assault or overt act attributed against the petitioner and at best the petitioner is the member of the mob.

5. The learned Additional Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation in the confessional statement of the co-accused persons, Bablu Kumar and Deepak Pandey that the petitioner was involved in the present crime in question.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Pipra Kothi P.S. Case No. 83 of 2022 pending in the court of Chief Judicial Magistrate, Motihari, East Champaran.

(Rajesh Kumar Verma, J)

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