

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60505 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- BELSAND District- Sitamarhi

Bikki Kumar Son Of Bharat Mandal Resident Of Village- Bhandari, Ward No.
9, Ps- Belasand, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vaidehi Raman Prasad Singh
For the Opposite Party/s :	Mr. Ajay Kumar Jha
	Mr. Vikash Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State assisted by learned counsel for the
informant.

2. The petitioner apprehends his arrest in Belsand
P.S. Case No. 69 of 2023 registered for the offences punishable
under Sections 302/34 of the Indian Penal Code pending in the
Court of learned Judicial Magistrate, 1st Class, Sitamarhi.

3. Petitioner along with other accused persons are
said to have committed murder of the son of the informant.

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



there is no specific overt act against the petitioner. He submits that as per the postmortem report, the cause of death of deceased was due to asphyxia leading to C/R failure. The petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State as well as learned counsel for the informant opposed prayer for anticipatory bail and submitted that the petitioner is also involved in the present case and the anticipatory bail application of similarly situated co-accused has been rejected by this Court vide order dated 31.08.2023 passed in Cr. Misc. No. 52989 of 2023. Hence, he does not deserve privilege of anticipatory bail.

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

(Anjani Kumar Sharan, J)

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