

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72286 of 2022

Arising Out of PS. Case No.-60 Year-2022 Thana- AURAI District- Muzaffarpur

RAJESH KUMAR @ BITTU MANDAL SON OF RADHESHYAM
MANDAL R/O VILLAGE- DHARAHARA, P.S.- AURAI, DISTRICT-
MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Aurai P.S. Case No.60 of 2022, registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The petitioner and other co-accused persons are said
to have killed the son of the informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got one criminal antecedent as
stated in paragraph-3 of the bail petition. It is further submitted
that there is no eye witness of the occurrence and only on



suspicion, the petitioner is made accused in the present case. Learned counsel for the petitioner further submits that in the impugned order, it is wrongly mentioned that there is specific allegation against the petitioner. It is also submitted that no independent witness has supported the prosecution case.

The learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Considering the nature of offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order of rejection.

(Anjani Kumar Sharan, J)

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