

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6720 of 2024**

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

Rajan Kumar. Aged about 18 years, Male, Son of Jagdish Prasad @ Jagu Prasad, R/o vill - Gorhwan, P.S. - Muffasil Motihari, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bal Govind Sharma, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

3      10-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Pipra Kothi P.S. Case No. 83 of 2022 instituted for the offence punishable under Sections 302, 201, 120B/34 of the Indian Penal Code.

3. As per F.I.R., the allegation against the accused persons including petitioner is that they have killed the informant's brother Mumtaz Alam and his friend Mithun Kumar Mali under a conspiracy and thrown their dead body near the Mohna Pul in Piprakothi.

4. It is submitted by learned counsel for the petitioner



that petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty village politics. No one is the eye witness of the alleged occurrence. There is no specific allegation against the petitioner. Petitioner has got no criminal antecedent as stated in para 3 of the bail petition.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. From perusal of the F.I.R., impugned order dated 21.07.2023 and case diary, it appears that on the basis of written report of the informant Aftab Alam, the F.I.R. registered for the offence under Sections 302, 201, 120B/34 of the I.P.C. against the eight accused persons including the present petitioner. It also appears from the impugned order that petitioner is a named accused and allegation against him is of committing murder along with other co-accused which is so serious in nature. In para 7 of the case diary, the informant in his restatement and in para 08, 09, 13 and 14, the other witnesses have also supported the prosecution case. Co-accused Deepak Pandey in his confessional statement has stated that he along with other co-accused committed murder of both of the deceased by means of iron rod. Further, postmortem report of both of the deceased also



corroborates the prosecution case. The investigation is already under progress.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

**(Ramesh Chand Malviya, J)**

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