

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27682 of 2024

Arising Out of PS. Case No.-387 Year-2023 Thana- MADANPUR District- Aurangabad

Antu Bhuiyan Son Of Late Sohrai Bhuiyan Resident Of Village- Chand
Bigha, Ps- Madanpur, Dist- Aurangabad Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 22-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Madanpur Police Station Case No. 387 of 2023 registered for
the offence punishable under Sections 302, 201 / 34 of the IPC.

3. As per FIR, it is alleged that the petitioner alongwith
co-accused persons killed the informant's brother and buried the
dead body for hiding evidence.

4. Learned counsel for the petitioner submits that
petitioner is innocent, committed no offence and has falsely been
implicated in this case.

5. However learned APP for the State oppose the prayer
for bail of the petitioner.

6. On perusal of the FIR, seizure list and impugned
order dated 06.03.2024, it appears that on the basis of written
report of the informant FIR was registered against 7 accused



persons including the present petitioner and the petitioner is named in the FIR. On perusal of para 3, 4 and 5 of the case diary, it appears that statement of the informant and witnesses have been recorded in which all of them have stated in their statements that petitioner and another co-accused committed murder of the informant's brother Mithilesh Bhuiyan and all of them buried the dead body by digging pit on the bank of the river. On perusal of para 45, 46 and 47 of the case diary, it appears that witnesses Bindeshwari Rikiyasan, Ganesh Chaudhary and Mahesh Bhuiyan saw that petitioner and another co-accused were taking away the dead body of the deceased for the purpose of burying. Considering the aforesaid facts and circumstances of the case and serious allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner.

7. Prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

saaurabhkr/-

U		T	
---	--	---	--

