

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30681 of 2024

Arising Out of PS. Case No.-583 Year-2022 Thana- KESARIA District- East Champaran

Anand Mohan Kumar son of Late Keshev Kuer Village- Dilawarpur Ps-
Kesariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Barnwal, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 11-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kesariya P.S. Case No. 583 of 2022 dated 26.11.2022 registered for the offences punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the nephew of the informant and committed murder.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the



petitioner. The name of the petitioner has surfaced in this case on the basis of telephonic information which was given by his sister. Learned counsel for the petitioner has submitted that the petitioner neither kidnapped nor murdered the informant's nephew. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.01.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner. It has further submitted that from perusal of the case diary at Para-15, the statement recorded under Section 161 Cr.P.C. of Anjali Kumari, who is the sister of the petitioner, has stated that she had developed love affair with the deceased and she called him in her room and when they were talking to each other in the room, her younger brother Chhotu Kumar reached there and Chhotu Kumar called his elder brother Anand Mohan Kumar(petitioner) through mobile and the petitioner and the co-accused Chhotu Kumar committed murder of Abhishek by assaulting him with an axe.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this court is not inclined to grant bail to the petitioner and the same is rejected in connection with Kesariya P.S. Case



No. 583 of 2022, pending in the Court of learned Judicial
Magistrate-1st class, Motihari, East Champaran.

7. Learned court below is directed to conclude the
trial of the petitioner at the earliest.

(Chandra Prakash Singh, J)

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