

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29134 of 2024

Arising Out of PS. Case No.-407 Year-2023 Thana- PAROO District- Muzaffarpur

Vicky Kumar S/O Jairam Paswan R/O Village- Jagarnathpur Nagwan, P.S-
Saraiya, Distt.- Muzaffarpur And At Present R/O Village- Koluah, P.S-
Saraiya, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Yugal Kishore

For the Opposite Party : Mr. Uma Shankar Prasad Singh

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

ORAL ORDER

5 06-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Paroo P.S. Case No. 407/2023 dated 20.09.2023 registered for the offence punishable u/s 302 and 201 of the Indian Penal Code.

3. As per the prosecution case, on 29.09.2023 at 5 P.M., when the informant was on patrolling, he got an information that a dead body is lying in the field. When the informant reached there, he saw that villagers were gathered there and the dead body was wrapped with car cover. When the covered was unwrapped, an unidentified dead body was found. Thereafter, the informant asked the villagers to identify the dead



body, but no one identified it. It is further alleged that some unknown persons murdered this person at some other place and brought the dead body here and threw it with an intention of hiding.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Anmol Kumar. Learned counsel has submitted that the police has recovered the dried bloodstains from the home of the co-accused, Manoj Kumar. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner. As per para. 207 of the case diary, the co-accused Anmol Kumar in his confessional statement has stated that he along with Manoj was holding the legs of the deceased Babloo while Sadaab, Md. Saifi and Dharmendra were tying his limbs and after his murder when they proceeded on Alto Car to dump the body of the deceased, the petitioner was also boarded on the same vehicle to show the way where the dead body could be disposed of.

6. Considering the aforesaid facts and circumstances



of the case as well as the nature of allegation, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, West Muzaffarpur in connection with Paroo P.S. Case No. 407/2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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