

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34163 of 2024

Arising Out of PS. Case No.-718 Year-2023 Thana- BODHGAYA District- Gaya

Kamlesh Singh Son of Late- Rajdeo Singh Resident of Village - Kharsot, P.S.
- Bodh Gaya, Distt. - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-07-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Bodh Gaya P.S. Case No.718 of 2023, registered for the offences punishable under Sections 302/201/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against unknown accused persons.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and only on the basis of suspicion his name has figured in this case. Counsel submits that there is one criminal case pending against him in which he is on bail. Counsel submits that there is absolutely no material or any cogent material against the petitioner that he is involved



in the commission of crime.

5. Learned counsel for the State opposes the prayer for bail and submits that in the rejection order of the Sessions Court there is indication that name of the petitioner has come in the statement made under Section 164 Cr.P.C.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that it is true that case has been lodged against unknown accused persons and it is also true that name of the petitioner has figured in the statement of eyewitness, who disclosed in the statement under Section 164 Cr.P.C.

7. In the facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioner within four weeks, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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