

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33612 of 2024

Arising Out of PS. Case No.-282 Year-2023 Thana- RAGHOPUR District- Vaishali

Vimlesh Kumar @ Veer Kumar Mahto @ Beer Kumar Son of Ram Tahal
Mahto Resident of Village- Rabaich , P.S- Bakhtiyarpur , Dist- Patna

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Shaheen Begum

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

ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Raghapur P.S. Case No. 282 of 2023 dated 21.11.2023 registered for the offence/s punishable u/s 302 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the other co-accused persons are alleged to have killed the informant's husband and his dead body was found in a tempo standing near the house of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation against the petitioner.



There is no eyewitness to the alleged occurrence. 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 anticipatory bail petition of the petitioner and stated that the petitioner who called the deceased and asked him to come to the house of the co-accused Vijay Rai @ Bholu Rai thereafter, the body of the deceased was found in a Tempo. It is a case of last seen theory.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and the heinous nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and prayer for regular bail, the learned Court below will consider his prayer for regular bail in accordance with law without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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