

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32828 of 2024

Arising Out of PS. Case No.-520 Year-2023 Thana- SAKRA District- Muzaffarpur

Dheeraj Pandey @ Dheeraj Kumar Pandey Son Of Late Jaykaran Pandey
Resident Of Village - Adhwara, Police Station - Sakra In The District Of
Muzaffarur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5. 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a case
registered for offence under Sections 302, 201/34 of the Indian
Penal Code.

3. As per prosecution case, on 10.10.2023 at about
10:00 AM, this petitioner, who is brother-in-law of Raj Kumar
Thakur, took away elder brother of informant for harvesting the
crop, but he did not return. It is further alleged that on
13.10.2023 at about 7 AM, the dead-body of informant's elder
brother was found in the paddy field of Raj Kumar Thakur.
Informant suspects that this petitioner committed the murder of
his elder brother.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence and has



been falsely implicated in this case due to village politics. Petitioner is brother-in-law of Raj Kumar Thakur, who is co-villager of informant, and he has got no concern with informant's brother (deceased). As a matter of fact, the deceased was suffering from Epilepsy and he had no source of livelihood. During course of investigation, no substantial evidence has come against this petitioner to show his complicity with the aforesaid crime and only suspicion has been raised because dead-body of deceased was found in the field of petitioner's brother-in-law.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that petitioner is named in the F.I.R. with specific allegation that he called the deceased and thereafter, dead-body was found in the field of petitioner's brother-in-law. *Post-mortem* report also supports the prosecution case.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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