

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44581 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- SARAIYA District- Muzaffarpur

Raju Mahto @ Raju Kumar Ray S/O Satyanarayan Mahto @ Satyanarayan Ray R/O Villge Chako Chhapra Jagir, P.S.- Saraiya ,district-muzaffarpur. At Present R/O Chakmal, P.O.-gidha, Pokhraise, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Namrata Mishra, Advocate
Mrs. Archana Jha, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 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 363, 365, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 23.01.2023, petitioner and co-accused Chandan Paswan took the son of the informant (Raja Kumar) to Jamui for doing the work of labour, but he did not return. The informant suspects that petitioner and co-accused have committed the murder of his son and disappeared his dead body.

4. Learned counsel for the petitioner submits that informant is not eye-witness to the occurrence and only



suspicion has been raised against petitioner. In fact, petitioner and informant are neighbours and due to land dispute, heated argument took place between the parties, thereafter, this false case has been lodged against petitioner. As a matter of fact, son of the informant fell from the train and got injured and during treatment died, for which, U.D. case, vide Tejpur PS (WOP) U.D. Case No. 02 /2024 was lodged. During investigation, no direct or indirect evidence has come against petitioner to show his complicity in the aforesaid crime.

5. However, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that this petitioner alongwith other co-accused took the son of informant on the pretext of performing the work of labour, thereafter, the accused persons committed his murder and disappeared his deal-body and during investigation, on the evidence of witness Sudhir Kumar, dead body of deceased was recovered.

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

(Prabhat Kumar Singh, J)

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