

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52100 of 2024

Arising Out of PS. Case No.-884 Year-2022 Thana- SARAIYA District- Muzaffarpur

Ram Naresh Thakur S/o Late Rajendra Thakur R/o vill - Panapur
(Akhtiyarpur), P.S. - Karja, Distt - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-09-2024 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 Saraiya (Jaitpur O.P.) P.S. Case No. 884 of 2022 dated 30.11.2022 registered for the offence/s punishable u/ss 302 and 120B of the Indian Penal Code.

3. As per the prosecution case, on 30.11.2022 at about 02:00 AM, the petitioner and the co-accused persons are alleged to have come in the Bolero and committed murder of the informant's sister and brother-in-law on account of land dispute.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the son of the deceased has also filed a complaint case against the present informant. Learned counsel has further submitted that informant is *Mama* of the petitioner. There is no eyewitness to the alleged occurrence. The



petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner of committing murder of the informant's sister and brother-in-law. It is also submitted that it is a case of double murder and the said Bolero of the co-accused, Ram Balak Bhagat was used in the alleged crime. Earlier the prayer of anticipatory bail of the petitioner was rejected vide order dated 06.11.2023 passed in Cr. Misc. No. 40963 of 2023 by this Court on merit. There is no new ground.

6. Considering the aforesaid facts and the circumstances of the case as well as the heinous nature of offence against the petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioner is directed to surrender to the Court below within four weeks from the date of this order and the Court below will consider the prayer of bail of the petitioner in accordance with law and on its own merits without being prejudiced by this order.

7. This application stands rejected.

(Chandra Prakash Singh, J)

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