

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53276 of 2024

Arising Out of PS. Case No.-82 Year-2024 Thana- MASAUDHI District- Patna

Vivek Kumar @ Vivek Kumar Patel Son of Satyanarain Singh Resident of
Village - Nahwan, P.S.- Masaurhi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Chaudhary, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Masaurhi P.S. Case No. 82 of 2024 registered for the offences punishable under Sections 302, 120B, 201, 34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have committed murder of the informant's husband.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally



false and based on concocted facts. The real fact is that on the date of alleged occurrence, the petitioner was not in Masaurhi. He was at his home at Gaya, which can be verified from the call details of the petitioner. Learned counsel further submits that there is no eye-witness to the alleged occurrence. His name has been transpired in the present case merely on the basis of the confessional statement of the apprehended co-accused. He further submits that the petitioner has no concern with other co-accused persons in any manner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegation levelled against the petitioner is serious in nature, hence he does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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