

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58763 of 2024

Arising Out of PS. Case No.-670 Year-2023 Thana- BODHGAYA District- Gaya

Vinay Kumar S/O Surendra Yadav R/o Village - Sonu Bigha Rajapur, P.S-
Bodhgaya, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-08-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Bodh Gaya P.S. Case No. 670 of 2023, registered on 15.08.2023, for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. As per prosecution, the FIR has been lodged against three named (including the present petitioner) and some unknown accused persons against whom there is an allegation that two of the accused persons (including the present petitioner) in connivance with each other have killed the informant's son.

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



submits that it is the informant who is father-in-law is the real culprit as the dispute is going on between the family for selling of the land and as soon as the sister of the petitioner sent in jail in the murder case of her husband the father-in-law has sold the property. Counsel further submits that the age of the petitioner is just 22 years old and his career shall be spoiled if anticipatory bail shall not be granted to him.

5. Learned APP for the State opposes the prayer for bail and submits that Annexure- P/2 creates doubt by virtue of it become clear that it is not the informant rather the son himself who used to create problem and due to this reason the Panchayti also took place, husband on the one side and the father-in-law and daughter-in-law on the other side. Counsel further submits that in the FIR, there is direct allegation against the petitioner that he has killed informant's son.

6. In any view of the matter, it is case of Section 302 of the IPC and allegation is against the present petitioner.

7. In this background, this Court is not inclined to grant bail to the petitioner and accordingly, the prayer for bail of the petitioner is hereby rejected.

8. It is directed to the petitioner to surrender before the learned Court below within a period of 6 weeks from today.



In case, the petitioner, surrendered within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit and demerit of this case.

(Dr. Anshuman, J.)

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