

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65550 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- RIGA District- Sitamarhi

RAVI KUMAR S/o- AJAY KUMAR SINHA Village- Sitamarhi Nagar Nigam
Mohalla- Adarsh Nagar Jai Prakash Path Old W.No-26, Ps- Sitamarhi Dist-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Adv.
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Riga P.S. Case No.60 of 2023, registered for the offence
punishable u/s 302/120(B)/201 of the IPC.

3. Allegedly, dead body of a female was recovered from the
field of one Manoj Shrivastava and on that basis F.I.R. was
lodged.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He is not named in the F.I.R. and has been falsely implicated in
this case due to ulterior motive. During investigation, one



accused Avinash Kumar was arrested and he confessed the name of petitioner and others as his associates in the alleged offence. Petitioner is working in the Army and on the alleged date, he was in Mathura. There is no specific overt act against the petitioner and there is no eye-witness to the alleged occurrence. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the name of petitioner has transpired in this case on the basis of confessional statement of the co-accused and the Apex Court in the case of ***Indresh Kumar v/s The State of UP & Anr. In Criminal Appeal no.938 of 2022***, has held that statements made under section 161 Cr.P.C. are relevant in considering the prima facie case against an accused in an application for grant of bail in the case of grave offence.

6. Considering the aforesaid facts and circumstances and the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order,



preferably, on the same day, in accordance with law, considering
that the petitioner is working in the Army.

(Anjani Kumar Sharan, J)

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