

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75773 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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VIKKI KUMAR S/O LATE BIRENDRA PRASAD R/O MOHALLA-
TEACHER COLONY, WARD NO. 09, P.S- CHAKIYA, DISTT.- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Ms. Vaishnavi Singh
For the Opposite Party/s :		Mr. Ram Anurag Singh
For the State	:	Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 21-03-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Kazimohammadpur Police Station Case No. 66 of
2023, dated 12.02.2023, disclosing offences under
Sections 364/365/120-B of the Indian Penal Code.
3. The prosecution case, as per the First Information Report,
is that on 09.02.2023, father of the informant had gone to
the house of Alam Azad @ Nabbe Alam to take his
vehicle for purpose of driving it on hire basis. In the same
evening, at about 08:00 PM, when the informant
contacted his father, informant's father told that he was



going towards Motipur, but he did not return till late night.

When the informant tried to contact his father on mobile phone, the same was found switched off. Thereafter, the informant tried to contact the vehicle owner, but he could not provide any information.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of confessional statement of the co-accused Nitish Kumar @ Nitish Kumar Rai, from whose possession the vehicle, in question, has been recovered. Except the confessional statement, no other materials have come against the petitioner. He next submits that the informant's father was driver of the vehicle, owned by co-accused Nabbe Alam, and he used to drive the vehicle as a taxi under instruction from its owner.
5. I have heard learned counsel for the parties and have gone through the materials available on record.
6. On perusal of the impugned order, it appears that the vehicle, which was being driven by the father of the informant, has been recovered from the possession of the co-accused Nitish Kumar Rai, who in his confessional statement has said that the vehicle was given to him by



the petitioner. The victim i.e. the informant's father, namely, Bahadur Rai, is still missing. First Information Report alleges serious offence and the case is still under investigation, accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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