

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1419 of 2024

Arising Out of PS. Case No.-624 Year-2023 Thana- SIKARPUR District- West Champaran

RAVI KUMAR @ RAVI KUMAR BORI S/O SARJUG RAUT R/O
VILLAGE- MATIYA, P.S- SHIKARPUR, DISTT.- WEST CHAMPARN. AT
PRESENT JHARKHANDI GATE GORAKHPUR (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No. 2

For the Opposite Party/s : Mrs.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 302/34, 120(B) of the IPC.

3. Allegedly, the F.I.R. named accused persons including the
petitioner are said to have killed the brother of the informant
under a conspiracy.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to ulterior motive.
No such occurrence, in the manner as alleged has ever taken
place. There is no specific overt act against the petitioner rather
the allegation is general and omnibus in nature. The name of



petitioner has transpired in this case on the confessional statement of the apprehended co-accused, which is clear from the F.I.R.

5. Learned APP for the State opposed the prayer for bail and relied upon the Apex Court order passed in the case of ***Indresh Kumar v/s The State of UP & Anr. In Criminal Appeal no.938 of 2022***, whereby it was 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. Having regard to the facts and circumstances of the case, the nature of allegation and the case of ***Indresh Kumar (supra)***, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for grant of bail on his behalf is rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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