

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65705 of 2024

Arising Out of PS. Case No.-451 Year-2023 Thana- SURSAND District- Sitamarhi

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Vinod Yadav Son of Late Ramdarash Ray @ Late Ramdaresh Ray R/o
Village- Maruki, P.S. -Sursand, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

- 8 04-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner apprehends his arrest in connection
with Sursand P.S. Case No. 451 of 2023 instituted under
Sections 302/363/201/120B/34 of the Indian Penal Code.
3. As per the prosecution case, petitioner along with
other co-accused persons committed murder of informant's son.
4. It is submitted by learned counsel for the petitioner
that the petitioner is innocent and he has falsely been implicated
in the present case due to local village politics. He further
submits that the petitioner is named in the FIR and after
investigation final form was submitted against him but learned
court below deferred with report of Investigating Officer and
took cognizance against the petitioner. Learned counsel submits



that there is no cogent evidence in the case diary against petitioner. From perusal of Paras '20', '21' and '22' of the case diary, it appears that the witnesses have not made any statement regarding the petitioner and in Para '44' of the case diary also there is no evidence of involvement of the petitioner in the said case.

5. Learned APP appearing for the State as well as learned counsel for the informant has vehemently opposed the prayer for anticipatory bail. They jointly submit that there is sufficient material in the case diary regarding implication of the petitioner in the case. They also submit that the learned Magistrate has also issued the process of 82 Cr.P.C. and 83 Cr.P.C. against the petitioner. They further submit that the anticipatory bail application of co-accused Dinesh Sah has been rejected by a Co-ordinate Bench of this Court.

6. Having heard learned counsel for the parties and further considering the materials available in case diary, specifically in Paras '7', '8' and '9', this Court is not inclined to grant anticipatory bail to the petitioner.

7. However, petitioner is directed to surrender before the learned court below and raise the material mentioned in Paras '20', '21' and '22' of the case diary and pray for regular



bail which may be considered by the learned court below on its own merit, without being prejudiced by the order of this Court.

8. This application is disposed of.

(S. B. Pd. Singh, J)

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