

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31669 of 2016

Arising Out of PS.Case No. -235 Year- 2016 Thana -LAKHISARAI District- LAKHISARAI

=====

1. Randhir Singh
2. Rajesh Singh Both Sons of late Kishori Singh resident of Village-
Lodiya, Police station Lakhisarai District Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 26-09-2016 Heard both sides.

Petitioner no. 1. Randhir Singh has already been
arrested.

The petitioner Rajesh Singh apprehends his arrest in
Lakhisarai P.S. Case No. 235/2016, registered for the offences
punishable under Sections 302, 201, 120B and 34 of the Indian
Penal Code.

The brother of the deceased alleged that Vinod Singh,
Bipin Singh, Shankar Singh and others took his brother Shashi
Shekhar Bipul on the pretext of some work. The petitioner was
also accompanying them, but his brother did not return. On the
next day his dead body was found.

Dr. Amrendra Kumar learned counsel for the petitioner

submits that petitioner is innocent and he has falsely been implicated in this case. The father of the deceased filed sanha (annexure-2) alleging therein that his son (the deceased) went to attend the call of nature in the morning of 14.05.2016, but he did not return. It is submitted that one Lakhisarai P.S. Case no. 14/2005 was registered by the father of the petitioners against Karu Singh and others. Petitioners are witnesses in the aforesaid said and that is why petitioners and others have falsely been implicated in this case.

On the other hand Mr. Krishna Prasad Singh learned senior counsel for the informant as well as learned A.P.P. opposed the prayer for anticipatory bail and submitted that the petitioner is the last seen person with the deceased. Petitioner took the deceased and deceased never return and only his dead body was recovered on the next day. Petitioner has got criminal antecedent.

Considering the facts aforesaid and the fact that the petitioners and others are alleged to have taken the deceased with them on the pretext of some work, but the deceased never returned and the dead body of the deceased was found on the next day, I am not inclined to enlarge Rajesh Singh petitioner no. 2 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--