

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54102 of 2019

Arising Out of PS. Case No.-227 Year-2018 Thana- PIRO District- Bhojpur

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1. Jitendra Kumar @ Jitendra Singh S/o Late Ramendra Singh R/O Village-Jagdishpur pathak, P.S.- Piro, District- Bhojpur.
 2. Rahul Kumar @ Rahul Kumar Singh S/o Late Ramendra Singh R/O Village-Jagdishpur pathak, P.S.- Piro, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Saurabh, Advocate

For the State : Mr. Md. Matloob Rab, APP

For the Informant : Mr. Chandan Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date : 20-11-2019

Heard learned counsel for the petitioners; learned APP for the State and learned counsel for the informant, who has *suo motu* appeared.

2. The petitioners seek pre-arrest bail in connection with Piro PS Case No. 227 of 2018 dated 09.07.2018 instituted under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

3. The petitioners along with one other person are accused of killing the husband of the informant.



4. Learned counsel for the petitioners submitted that they are agnates of the deceased and have been falsely implicated due to land dispute. It was submitted that the informant herself used to live at her paternal home with the children and soon after the incident, land has been transferred in her favour by the father-in-law. It was further submitted that there were no eye witnesses.

5. Learned APP, from the case diary, submitted that many witnesses have supported the prosecution story and it has come that they did not allow the deceased to deal with his lands as earlier when he had sold some land for the marriage of his daughter, they had expressed their anger. It was submitted that the petitioners had an eye on the land on the deceased as the father-in-law of the informant was living in Bokaro and his younger son had gone missing and now the husband of the informant also having died, the petitioners would be able to succeed in their intention. It was submitted that deliberately the matter is being given a different colour by insinuating that it was the informant who was responsible for the murder. It was submitted that the land having been transferred after the death was with the purpose of ensuring that the same was not forcibly taken by the petitioners and others. It was further submitted that the informant was living with her



children at her parents place only for ensuring security of herself and her children.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to allow the prayer for pre-arrest bail to the petitioners.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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