

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72226 of 2019

Arising Out of PS. Case No.-14 Year-2018 Thana- LAKHISARAI District- Lakhisarai

Birju Singh @ Birju Kumar, (M), aged about 45 years, Son of Ram Charitar Singh Resident of Village- Khutaha Dih, P.S.- Barahiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 14-07-2020 Heard Mr. Sanjeev Kumar, learned counsel for the petitioner and Mr. Satyendra Prasad, learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Lakhisarai P.S. Case No. 14 of 2018 registered for offences under sections 302/34/120B of the Indian Penal Code and Section 27 of the Arms Act.

In the present case, an allegation has been made before the SHO that there was a Puja in the house of the Informant and, on that account, all the family members had assembled in the house and her husband and Vaisur had gone outside for bringing milk. In the meantime, the sound of firing was heard and her Vaisur returned and informed her that the accused persons have killed her husband. It has been stated that there was a criminal case lodged by the Husband of the Informant and they were putting pressure upon the Informant for withdrawal of the same. When the



case was not withdrawn, the present incident has taken place.

Learned counsel for the petitioner submits that the petitioner has not been named in the First Information Report. Even on the second day, the Informant has not disclosed his name and, after six days, she has taken the name of the present petitioner and, except that, there is no material in the entire Case Diary.

From the records, it appears that the name of the petitioner has transpired during investigation of being involved in the instant case.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, above named, is rejected.

If the petitioner surrenders before the court below within a period of twelve weeks from today and makes a prayer for bail, the court below, without being prejudiced by this order, will pass orders in accordance with law.

(Shivaji Pandey, J)

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