

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36683 of 2020

Arising Out of PS. Case No.-817 Year-2019 Thana- LAKHISARAI District- Lakhisarai

Pappu Singh, Son of Brahmdev Singh, Resident of Village - Vidyapith
English Ward No.2, P.S.- Lakhisarai, Disst.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar- Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 28-10-2021 Heard the learned Advocate for the petitioner and
learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Lakhisarai P. S. Case No.817 of 2019, instituted for the offences under Sections 364, 342, 120(B), 201/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that on 14.11.2019 at about 5.00 P.M., husband of the informant and the accused persons named in the F.I.R. were sitting for partition of the property. In the meantime, the informant heard sound of her husband "Bachao" upon which she went there but she was confined in a room. It is further alleged that for sometimes, the noise of her husband came and



thereafter stopped. Thereafter nearby people ousted her from the room and thereafter she saw that her husband were in the house. It is further alleged that the informant talked with Fulaina Singh and Pappu Singh and both told that her husband will never return. As such, the informant suspected that accused persons have committed murder of her husband by hatching a conspiracy and disappeared the dead body.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The petitioner is own brother of the deceased. There was a land dispute in the family for which family was sitting for partition as alleged in the F.I.R. It is further submitted that the allegations are general and omnibus in nature and there is no eye witness to the occurrence. The learned counsel for the petitioner further submits that on the alleged date of occurrence, the deceased Sanjeet Kumar became seriously ill, who was admitted in the private clinic and thereafter, doctor has referred him to P.M.C.H. and on the way he died.

The learned counsel for the petitioner further submitted that the aunt of this petitioner namely, Indu Devi has been granted anticipatory bail by a Bench of this Court vide order dated 16.06.2020 passed in Cr. Misc. No.479 of 2020.



Further, Deepak Kumar @ Deepak, who is cousin nephew of the deceased, has also been granted anticipatory bail by a Bench of this Court vide order dated 09.07.2020 passed in Cr. Misc. No.323 of 2020.

The learned counsel for the petitioner submits that the allegations alleged in the F.I.R. are similar in nature against all the accused persons including the petitioner.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P. S. Case No.817 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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