

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29639 of 2021**

Arising Out of PS. Case No.-340 Year-2020 Thana- HARNAUT District- Nalanda

UDAY SINGH @ UDAY KUMAR Son of Nawazi Singh Resident of Village-
Tira, P.S.- Harnaut (Chero), District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Indu Bhushan

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

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 29-03-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as Mr.
Shailendra Kumar, learned APP for the State.

The petitioner apprehends his arrest in connection with
Harnaut (Chero) P.S. Case No. 340 of 2020, registered for the of-
fences punishable under Sections 302, 201/34 of the Indian Penal
Code.

As per allegation, the informant's nephew Saurabh Kumar
(since deceased) was sitting near the Temple of Bajrang Bali in the
night of 16th July, 2020. Co-accused persons Sadhu Singh and Arjun
Singh came there and took him away with them, thereafter, he be-
came traceless. 4-5 days prior to the occurrence co-accused Anshu
Devi and Khusboo Devi had threatened the deceased to kill. The



dead body of the deceased was recovered from a well. The informant had expressed his belief that four accused persons named in the FIR along with 4-5 unknown persons had killed the deceased and concealed his dead body.

Learned counsel for the petitioner has submitted that the petitioner has not been named in the FIR and witnesses in paragraph Nos. 6, 7 and 8 also did not take the name of the present petitioner. His name has been figured in paragraph No. 24 of the case diary which contains the statement of co-accused Khusboo Devi.

Learned APP has submitted that it is true that the name of the present petitioner has not been figured in the *fardbeyan* but the *fardbeyan* shows itself that Anshu Devi and Khusboo Devi had threatened the deceased. Co-accused Khusboo Devi was arrested and she has rendered her self-inculpatory confessional statement in which she has admitted her illicit relation with the deceased Saurabh Kumar. In her self-inculpatory statement co-accused Khusboo Devi has stated that on 16th July, 2020 the petitioner along with co-accused Vijay Singh, Sadhu Singh and Arjun Singh were dragging the deceased towards the house of Yadu Singh.

There is specific allegation against co-accused Khusboo Devi that she had threatened the deceased and she has admitted that she had illicit relation with the deceased and she saw the deceased being dragged away by co-accused persons including the present petitioner. Investigation is still continuing. As such, it is not a fit case



for anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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