

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31867 of 2021

Arising Out of PS. Case No.-671 Year-2006 Thana- GARDANIBAG District- Patna

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DHIRENDRA KUMAR @ RINKU @ RINKU SINGH @ DHIRENDRA
SON OF MR. DINESH KUMAR R/o village- Saidpur Raktal Gali, P.S.-
Kadamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 41406 of 2021

Arising Out of PS. Case No.-671 Year-2006 Thana- GARDANIBAG District- Patna

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ANJANI KUMAR @ ANJANI SINGH S/O SRI UMESH PRASAD SINGH
R/O VILLAGE-KUTARI, P.O.- NAROMURAR, P.S.-WARISALIGANJ,
DISTRICT-NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 42499 of 2021

Arising Out of PS. Case No.-671 Year-2006 Thana- GARDANIBAG District- Patna

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MANISH KUMAR @ MANISH SINGH Son of Chandeshwar Sharma
Resident of Village - Sohna, P.S.- Mehandian, District - Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 31867 of 2021)

For the Petitioner/s : Mr. Ajay Kumar Thakur
Mr. Nilesh Kumar
Mr. M.Kumar Choudhary
Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.J.N.Thakur
Mr.Uday Chand Prasad

(In CRIMINAL MISCELLANEOUS No. 41406 of 2021)

For the Petitioner/s : Mr.Ranjeet Choubey
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 42499 of 2021)

For the Petitioner/s : Mr.Priya Ranjan
For the Opposite Party/s : Mr. Bishweshwar Ram

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



ORAL ORDER

4 11-05-2022 The learned counsel for the petitioners is directed
to remove all the defects pointed out by the Stamp Reporter
within one month.

Heard the learned counsels for the petitioners and
learned Additional Public Prosecutors for the State.

The petitioners apprehend their arrest for the offences alleged under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act, registered in connection with Gardanibagh (Shastrinagar) P.S.Case No. 671 of 2006.

The FIR was lodged in the year 2006. The informant Sudhir Kumar got an information that his brother Satish Kumar has sustained injury. He rushed to the place of occurrence and saw his brother Satish Kumar lying in a pool of blood. The blood was oozing out from his forehead, chest and stomach. The time when the informant reached the place of occurrence his brother died. The informant came to know that when his brother was travelling by a tempo, two miscreants committed his murder by firing shots. It has been mentioned in the FIR that some papers were recovered near the dead-body of the deceased on which it was written that Guddu Sharma gang had the belief on the deceased, but he breached the belief and it was the reason that he was given the death punishment.



The learned counsel for the petitioner/accused Dhirendra Kumar @ Rinku Singh @ Dhirendra has submitted that the name of the petitioner surfaced in the confessional statement of co-accused Randhir Kumar Singh as mentioned in paragraph no.100 of the case diary. He has submitted further that one Guddu Sharma was murdered and as such, in paragraph no.100 of the case diary co-accused Randhir Kumar Singh after disclosing his complicity also stated that after the death of Guddu Sharma a meeting of the persons of his gang was convened. The name of the petitioner has also figured as one of the members of the gang and as per the confessional statement, the members of the gang including the petitioner decided to eliminate the person, who was informer of the case. He has also submitted that except the confessional statement of co-accused, there is no material against the present petitioner in the entire case diary. He has next submitted that on the day of occurrence, the petitioner was under custody in connection with Special Case No. 52 of 2005 under the provisions of the NDPS Act.

The learned counsels for the petitioners Anjani Kumar @ Anjani Singh and Manish Kumar @ Manish Singh have submitted that the names of these petitioners have surfaced in the confessional statement of co-accused Akhilesh Kumar



Sharma in paragraph no.105 of the case diary. Despite confessional statement of co-accused Akhilesh Kumar Sharma, there is nothing against these petitioners in the entire case diary. Akhilesh Kumar Sharma in his confessional statement has stated that in the meeting it was decided to kill the deceased Satish Kumar Sharma. In paragraph no.105 of the case diary Akhilesh Kumar Sharma has stated in his confessional statement that the deceased Satish Kumar was a police informer and it was the reason that he was killed after dragging him from a tempo.

Considering the facts and circumstances as well as the fact that the investigation is continuing, I do not find these cases fit for anticipatory bail. The prayer for anticipatory bail on behalf of the petitioners is hereby rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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