

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47118 of 2021**

Arising Out of PS. Case No.-141 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

RAJESH KUMAR @ RAJESH SINGH @ MUSO SINGH S/o DASHRATH
PRASAD SINGH @ MURAL SINGH R/o VILLAGE-GHOGHI, P.S-PIRI
BAZAR, DISTRICT-LAKHISARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55287 of 2021

Arising Out of PS. Case No.-141 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

JITENDRA SINGH Son of Harinandan Singh Resident of Village - Ghoghi,
P.S.- Piri Bazar, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47118 of 2021)

For the Petitioner/s : Mr. Rajendra Narain, Sr. Advocate
Mr.Sanjeev Kumar

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

(In CRIMINAL MISCELLANEOUS No. 55287 of 2021)

For the Petitioner/s : Mr. Rajendra Narain Sr. Advocate
Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

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

ORAL ORDER

6 05-09-2022 The learned counsel for the petitioners is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard Mr.Rajendra Narain, learned senior
counsel for the petitioners and Mr. J.N.Thakur, learned APP for



the State.

The petitioners apprehend their arrest for the offences alleged under Sections 302, 201 and 120(B)/34 of the Indian Penal Code, registered in connection with Biri Bazar P.S.Case No. 141 of 2019.

The present FIR has been lodged against unknown persons by the wife of the deceased namely Munni Devi. As per allegation on 05.12.2019 at about 7.00 p.m., her husband Shabham Kora went out from his house along with his cattle. When he did not return in the night, the informant thought that her husband might have gone to attend the marriage ceremony. On 12.12.2019, she found that bad smell was emanating from a bush. She went there and found the severed body of her husband. She has mentioned further in the FIR that some criminals might have committed murder of her husband by slitting his throat.

The learned counsel for the petitioners has submitted that co-accused Bhuneshwar Paswan, Gautam Kora and Mohan Mandal had furnished their inculpatory confessional statement in which they have furnished the vivid description of the occurrence. In the first part of their confessional statement they stated that they were the members of the Naxalite group. A



meeting was convened in which 35 named accused persons participated and it was decided in that meeting to eliminate the husband of the informant. He has further submitted that petitioners are not amongst 35 persons who had conspiracy in murder of the deceased, rather it has been mentioned in the confessional statement that the petitioners were deputed for gathering information in respect of mobility/movement of the deceased and also keeping eye on the activities of the police.

Learned APP Mr. J.N.Thakur has submitted that the complicity of the petitioners is apparent from perusal of the confessional statement of the above named co-accused persons which itself shows that the petitioner were responsible for gathering information in respect of the deceased, as such, they are also part of the conspiracy of the occurrence.

Considering the above facts and circumstances, I do not think it a fit case for anticipatory bail. The prayer for anticipatory bail of the petitioners of both the cases is hereby rejected.

The petitioners are directed to surrender in the court below and make a prayer for regular bail which shall be disposed of on its ow merit without being prejudiced by this order.



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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