

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50781 of 2021

Arising Out of PS. Case No.-42 Year-2021 Thana- GAYA MUFASIL District- Gaya

RAJNISH KUMAR @ RAJNISH RAJ, S/o- UMESH KUMAR SINHA,
Resident of Village- Bhinak Bigha, P.S.- Neemchak Bathani, District- Gaya

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Durgesh Nandan, Advocate
For the Opposite Party : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-02-2022 Heard learned counsel for the parties through video conferencing.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Mufassil P.S. Case No. 42 of 2021 for the offence punishable under Sections 302 and 201/34 of the Indian Penal Code.

This is a peculiar case in which father-in-law, mother-in-law and wife of the deceased have conspired with paramour of the daughter, who is the petitioner and killed the deceased. The dead body was recovered by the Police while it was taken away by the petitioner and other co-accused persons. During the investigation, the role of this petitioner has been



mentioned in the self inculpatory statement of father-in-law of the deceased. During the investigation, other materials have also been collected by the Police which show that the petitioner was in touch with other co-accused persons on the date of occurrence and before and after the occurrence.

Considering the aforesaid facts and also considering the fact that the deceased was brutally killed by his own wife, mother-in-law, father-in-law, this petitioner and his friend, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this bail application is dismissed.

The case was registered more than a year back and without any interim protection the petitioner has still not been arrested by the Police.

The petitioner is directed to surrender in the Court below within two weeks from today. If the petitioner does not surrender in the Court below within the aforesaid period of two weeks then the Senior Superintendent of Police, Gaya, will take all coercive steps for arresting this petitioner.

Office is directed to communicate this order to the Senior Superintendent of Police, Gaya, through FAX or e-mail forthwith.

Mr. Mukeshwar Dayal, learned APP for the State is



directed to communicate this order to the Senior Superintendent of Police, Gaya, through phone or WhatsApp for its compliance.

With the aforesaid observations and directions, this bail application is dismissed.

(Sandeep Kumar, J)

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