

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.393 of 2022

Arising Out of PS. Case No.-561 Year-2020 Thana- RAJAOLI District- Nawada

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1. VIKASH KUMAR @ VIKASH SHARMA S/o Mr. Mithlesh Singh Resident of Village- Mai, P.S.- Kakko, District- Jehanabad.
 2. RANJEET @ SHANU @ SHANU KUMAR S/o Late Ram Parikshan Ram Resident of Village- Mai, P.S.- Kakko, District- Jehanabad.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Shivnarayan Ram Son of Late Bacchu Ram Resident of Village- Pranyak, P.S.- Rajauli, District- Nawada.

... .. Respondent/s

Appearance :

For the Appellant/s : Mrs.Vaishnavi Singh, Adv.
For the Respondent/s : Mr.Binay Krishna,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-01-2023 Heard Mrs. Vaishnavi Singh, learned counsel for the appellants and the State as also for the informant.

The appellants apprehend their arrest in connection with Rajauli P.S. Case No. 561 of 2020 instituted under Sections 302, 201, 120(B) of the Indian Penal Code and Section 3(2)(v) of SC/ST (Prevention of Atrocities) Act.

As per the allegation, the informant alleged that he is a retired CIVIL ZAMADAR and was further informed by his co-villager that his wife and son have been killed. When he called his relative, Rahul and found the information to be correct, returned home. Further statement is that he had two



wives, one of whom died three months back and the sons out of the said wedlock were studying in A.N. College, Patna. His second wife also had two sons who used to reside in the village and whenever, he went to his house, she informed him that Pankaj Yadav, his wife as also other accused persons used to trouble her as also cheated her of Rs. 2 lakh and upon request to return the same, he had refused to pay, so he raised suspicion against him.

Subsequently, Pankaj Yadav was picked up as also some other accused persons who in their confessional statement named these appellants to be their accomplice. Accordingly, they also came into judicial knot.

Learned counsel for the appellants submit that they were not named in the FIR and have come in this case only on the basis of confessional statement of Jitendra Kumar and Nitish Kumar who have subsequently been granted the bail in Criminal Appeal (SJ) No. 2125 of 2021 on 13.7.2021.

Be that as it may, the case amongst other has been lodged under Section 302 of the IPC and the appellants' name have cropped up and there is criminal antecedent also against the appellant No. 1 and in that background, this Court is not inclined to extend them privilege of anticipatory bail.



If the appellants surrender within four weeks from today, the concerned court will take into account that both Jitendra Kumar and Nitish Kumar on whose confessional statement the appellants’ name came, have subsequently been granted bail and dispose of the same at an earliest.

(Rajiv Roy, J)

Ravi/Ajay
Singh/-

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