

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51414 of 2023

Arising Out of PS. Case No.-28 Year-2018 Thana- LADAIYATAR District- Munger

1. RAJENDRA BIND S/O KASHO BIND R/O VILLAGE- MARPAKALA, AMARI, P.S- LARAIYATAND(DHARHARA), DISTT.- MUNGER.
2. SURENDRA BIND S/O DULO BIND R/O NAYA BAZAR NEAR S.P. RESIDENCE, P.S- LAKHISARAI, DISTT.- LAKHISARAI.
3. VISHAN BIND @ BISHUN BIND S/O RAJENDRA BIND R/O VILLAGE- MARPAKALA, AMARI, P.S- LARAIYATAND(DHARHARA), DISTT.- MUNGER.
4. KISHAN BIND S/O RAJENDRA BIND R/O VILLAGE- MARPAKALA, AMARI, P.S- LARAIYATAND(DHARHARA), DISTT.- MUNGER.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv.
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Laraiyatand P.S. Case No.28 of 2018 registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code. The petitioners have got one criminal antecedent.

3. As per the prosecution story, on 02.05.2018 at about 10.00 am the chowkidar Raejndra Paswan got an information about a dead body in Gopalichak. On this



information, he informed the SHO, Laraiyatand police station. The SHO arrived along with other police personnel at the spot and found a dead body lying in water without head. Nobody identified the dead body then the police has registered this case against unknown persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that the petitioners are not named in the FIR and there is no specific allegation against them.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein process under Section 82 has been issued against the petitioners, this Court is not inclined to grant privilege of anticipatory bail to them, however, in case the petitioners surrender and pray for regular bail in the present case within a period of four weeks from today, their prayer for regular bail shall be considered keeping in view their submissions inter-alia that Halsi P.S. Case No.117/2018 arises out of the same and one transaction and in the said case the petitioners are on bail and so far as present case is concerned, in this case investigating officer had submitted a final form in favour of the petitioners. The



prayer for regular bail shall not be rejected only for the reason that this Court has refused to grant anticipatory bail to the petitioners and it is expected that the court below shall pass an appropriate order keeping in view the parameters for grant of regular bail.

7. This application is dismissed.

(Rajeev Ranjan Prasad, J)

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