

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73174 of 2023

Arising Out of PS. Case No.-259 Year-2021 Thana- PARSABAZAR District- Patna

BITU KUMAR Son of Late Jitendra Singh R/o vill - Khaira, P.S. - Naubatpur,
Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

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

ORAL ORDER

2 09-11-2023 Heard the learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Parsa Bazar P.S. Case No. 259 of 2021, registered for the offences
punishable under Sections 302, 120(B)/34 of the Indian Penal Code
and Section 27 of the Arms Act.

3. The informant of this case is son the deceased. As
per allegation, the petitioner and his two brothers committed
murder of the deceased.

4. The learned counsel for the petitioner has submitted
that the petitioner and other two accused persons are the sons of the
deceased, born from first wife of the deceased and the informant is
also his son, born from second wife of the deceased. The two own
brothers of the petitioner reside in the village whereas the petitioner



was working in HPCL, Mumbai on the day of occurrence. His name has figured in confessional statement of his brothers residing in village. He has submitted further that the two brothers of the petitioner have been granted bail by this Court.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. **The petitioner is directed to surrender before the learned court below and makes a prayer for bail. I do not see any reason why the same benefit as given to petitioner’s brothers, should not be provided to the petitioner, if his case is exactly similar to them.**

7. With these observations, this petition is disposed of.

(Nawneet Kumar Pandey, J)

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