

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21039 of 2024

Arising Out of PS. Case No.-73 Year-2019 Thana- PARSAUNI District- Sitamarhi

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Randhir Kumar Singh @ Randhir Kumar S/O Harishankar Kumar Singh
(named In The Fir As Shailendra Singh Son Of Salu Singh), R/O Village-
Belahi Nilkanth, P.S- Runnisaidpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sunil Prasad Singh, Advocate
For the Opposite Party/s	:	Mr. Jogendra Kr. Singh, APP
For the Informant	:	Mr. Suresh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 25-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of anticipatory bail in connection with Parsauni P.S. Case no. 73 of 2019 registered under sections 302 and 120B of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant received information that his father had been murdered during morning walk. The informant raised suspicion that sometime back a thief was caught in connection with theft of a bike and in the panchayati held, Shailender Singh son of Saalu Singh had asked the informant's father to hand over the thief to him. The same was not done. It is because of this occurrence that a suspicion is raised that there was enmity between the parties and which has



led to the occurrence being given effect to.

4. Learned counsel for the petitioner submits that the earlier prayer for anticipatory bail of the petitioner was rejected vide order dated 21.1.2020 (Annexure- P/1) passed in Cr. Misc. no. 83105 of 2019. Referring to paragraph no. 6 of the petition it is submitted that the prayer for anticipatory bail has been renewed on the ground that charge-sheet no. 962 dated 4.9.2022 has been submitted wherein the petitioner has not been sent up. It is further submitted that by order dated 22.11.2022 passed in Parsauni P.S. Case no. 73 of 2019, the learned Judicial Magistrate-1st Class, Sitamarhi differing with the final report has taken cognizance against the petitioner under sections 302 and 120B of the Indian Penal Code and section 27 of the Arms Act. Hence the renewal of prayer for anticipatory bail.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that the prayer for anticipatory bail of the petitioner has already been considered and rejected on merits by earlier order dated 21.1.2020. Referring to the said order it is submitted that there is specific allegation against the petitioner which has transpired in course of investigation.



6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R and the material that has transpired in course of investigation as is evident from the earlier order of rejection dated 21.1.2020 passed in Cr. Misc. no. 83105 of 2019, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned trial Court within a period of four weeks.

(Partha Sarthy, J)

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