

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39988 of 2024

Arising Out of PS. Case No.-574 Year-2021 Thana- BEUR District- Patna

1. Anoop Kumar Shrivastava @ Anup Kumar Srivastav @ Pankaj Kumar Srivastava @ Pankaj Kumar Srivastav Son of Neel Mani Srivastav R/O Village- Kanakpur, P.S.- Beur, P.O.- Sipara, Dist.- Patna
2. Adarsh Kumar Shrivastava @ Adarsh Kumar Srivastav Son of Shiv Kumar Srivastav R/O Village- Kanakpur, P.S.- Beur, P.O.- Sipara, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashutosh Nath, Advocate
For the Opposite Party/s	:	Mr.Rajendra Prasad Nat, APP
For the informant	:	Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-10-2024 Heard Mr. Ashutosh Nath, learned counsel for the petitioners, the State as also Mr. Sunil Kumar, learned counsel appearing on behalf of the informant.

The petitioners are apprehending arrest in connection with Beur P.S. Case No. 574 of 2021 instituted under Sections 302, 325, 341 and 34 of the Indian Penal Code lodged on 26.12.2021 by the informant, Ravindra Ram.

3. As per the prosecution story, the informant alleged that his son used to do work in a Mobile Shop, went for the duty and later information came that the owner of the said shop, Adarsh Kumar Srivastava and Anoop Kumar Srivastava @ Anup Kumar Srivastav @ Pankaj Kumar Srivastava @ Pankaj



Kumar Srivastav (petitioner nos. 1 & 2) collectively caught hold of him and put him on fire, who was taken to the PMCH for treatment but succumbed to the burn injuries.

4. Earlier, the petitioners moved this Court for anticipatory bail in Cr. Misc. No. 35786 of 2022 which was withdrawn on 16.01.2023 in view of the fact that final form was submitted against them.

5. The subsequent development is/are that the competent Court took cognizance in the matter and aggrieved by that, the petitioners moved before this Court in Cr. Revision No. 462 of 2023 which came to be dismissed necessitating the anticipatory bail.

6. Learned counsel for the petitioners submit that it was a case of suicide but the informant has given colour of murder with the sole purpose of tarnishing the image of the petitioners in the eyes of the society.

7. Learned counsel for the informant on the other hand submits that despite the informant's son suffering burn injury and admitted in the hospital, the police chose to look the other way and did not recorded his statement and it was only after the petition preferred before the competent Court that cognizance has been taken.



8. Considering the fact that has emerged coupled with the fact that Cr. Revision preferred by the petitioners came to be dismissed by a coordinate bench of this Court, it would be appropriate that the petitioners seek bail. The anticipatory bail application stands rejected.

9. If the petitioners surrender within four weeks and seek bail, the Court concerned shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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