

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82571 of 2023**

Arising Out of PS. Case No.-27 Year-2022 Thana- BHADAUR District- Patna

BAIJU KUMAR @ BAIJU YADAV SON OF LATE SURESH YADAV R/O
MOHALLA- KAZICHAK, WARD NUMBER- 24, NAGAR PARISHAD
BARH, P.S-BARH, DISTRICT- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

8 04-10-2024 Heard Mr. Viveka Nand Singh, learned counsel for
the petitioner, the informant and the learned APP for the State.

2. The petitioner is in judicial custody in connection with Bhadaur P.S. Case No. 27 of 2022 for the offence punishable under Sections 302, 201, 120B/34 of the Indian Penal Code lodged on 26.03.2022 by the informant, Vijay Paswan.

3. As per the prosecution story, the informant, Vijay Paswan, 'Chowkidar' submitted a report about presence of a dead body with neck having been slit. Accordingly, the FIR was registered and thereafter, investigation took place and it was found that the wife of the deceased, Sobha Devi was having



relationship with Sanjeev Kumar. They were picked up and on the confession of Sanjeev Kumar, Atal Bihari was picked up and thereafter, this petitioner. The role of killing has been assigned to Atal Bihari and this petitioner. Though, the others came into judicial custody, the petitioner absconded and in that background, the trial was bifurcated. Subsequently, he came into judicial custody on 10.07.2023 (para-1 of the petition), the trial has started.

4. As per the Trial Court's report, the trial is awaiting prosecution evidence.

5. So far as the first trial relating to Sobha Devi, Sanjeev Kumar and Atal Bihari is concerned, it is in its advanced stage.

6. Learned counsel for the informant submits that not only his role has been attributed by the accused persons who were arrested, the body was also found in his village. Further, he has criminal antecedent.

7. Taking into account the fact that the first trial is in its advanced stage, the petitioner absconded for some time and he also has criminal antecedent, for the present, this Court is not inclined to extend him the privilege of anticipatory bail which is accordingly rejected.



8. The Trial Court is directed to pace up with the trial
so that it gets concluded at an earliest.

(Rajiv Roy, J)

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