

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37203 of 2025

Arising Out of PS. Case No.-520 Year-2013 Thana- SHRIKRISHNAPURI District- Patna

Murari Singh @ Rajesh Kumar Son of Ajay Singh @ Shankar Singh village-
Pandark, Ps- Pandarak, Dist- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.N. Shahi, Sr. Advocate
Mr. Aryan Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

4 15-10-2025 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail in connection with Sessions Trial No. 762 of 2016, arises out of Sri Krishna Puri Police Station Case No. 520 of 2013, disclosing offences punishable under Sections 302 and 34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution-case, on 29.12.2013 in the night at about 23:15 hour, informant along with Kundan Kumar, Chandan Kumar @ Lolu and driver Nitesh Kumar proceeded with Rajiv Kumar from the government residence Quarter No. 1 of the then M.L.A. of Mokama to drop Rajiv Kumar Singh at his rental flat at Shiv Vishnu Enclave, Anandpuri. They reached at about 11:45 hour, got down from the vehicle and the driver returned with the vehicle. Four persons entered in the lift and pressed button for 3rd floor. The



lift stopped near the floor and, all of a sudden, those persons pulled out pistols and started abusing the informant and others. Two of them, namely Bhola Singh and Mukesh Singh fired indiscriminately from the pistol towards Rajiv Kumar due to which he sustained bullet injury, fell down and subsequently died.

4. Learned senior counsel for the petitioner submits that petitioner is not named in the F.I.R. and has falsely been implicated in this case on the basis of alleged confessional statement of co-accused Saurabh Kumar who is an accused in Barh P.S. Case No. 167 of 2014. The confessional statement of Saurabh Kumar is not mentioned in the case diary of the present case and the police, after a lapse of about 10 years filed requisition for obtaining warrant against the petitioner in 2023 and the petitioner came to know about the present case in the year 2024. Thereafter, he took steps for obtaining anticipatory bail. In the entire case diary, no material against the petitioner has been collected by the police. Even the confessional statement of the co-accused is not available in the entire case diary.

5. On the other hand, learned A.P.P. for the State, referring to the case diary, submits that the confessional



statement of the co-accused is not available in the case diary.

6. Considering the submissions advanced by the parties, taking into consideration the material on record and the fact that the petitioner is not named in the F.I.R. and his name has transpired on the basis of confessional statement of co-accused Saurabh Kumar, which is not available in the case diary, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IX, Patna, in connection with Sessions Trial No. 762 of 2016, arising out of Sri Krishna Puri Police Station Case No. 520 of 2013, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

K.C.Jha/-

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