

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10324 of 2015**

Arising Out of PS.Case No. -4 Year- 2015 Thana -NAYA RAM NAGAR District- MUNGER

1. Suman Kumar Singh Son of Late Ganga Prasad Singh, Resident of Mohalla - Rampur Hostal Colony, Q. No. 253/ C.D. Police Station - Jamalpur, in the District of Munger.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

4      02-07-2015      Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner apprehends his arrest in connection with Naya Ram Nagar (Safiasarai) P.S. Case No. 04 of 2015 registered for the offences punishable under Sections 302, 201/120B of the Indian Penal Code.

Allegedly, son-in-law of the informant went to attend marriage ceremony but on the same day in the night at about 1:00 am all the FIR named accused persons including the petitioner came with the dead body of son-in-law of the informant and co-accused Uma Shankar Srivastava told that some unknown criminals have committed the murder but the miscreants fled away



and any how the dead body has been brought. There was bleeding from nose, head and chest of Raj Kumar and the accused persons were in haste to cremate the dead body and ultimately, they cremated the dead body and in spite of information given by the informant at the Police Station, no case was lodged and then, the complaint case was filed.

Submission is of false implication and that there is contradiction in the restatement of the informant vide paragraph 23 and no material has been found showing the complicity of the petitioner in the crime and during supervision the supervising authority has found the case not true and has directed to submit final form vide paragraph 29 of the case diary. In paragraph 24, the wife of the deceased has stated that it was told that in the marriage ceremony her husband took more wine and in that condition he fell down from the roof and died as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail and fairly submits that during investigation nothing tangible material has been found against the petitioner.

In the facts and circumstances stated above, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this

order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Naya Ram Nagar (Safiasarai) P.S. Case No. 04 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J)**

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