

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29316 of 2016

Arising Out of PS.Case No. -29 Year- 2011 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Bulbul Singh @ Deepak Singh, son of Late Sahindra Prasad Singh, resident
of village Harakh, P.S. Nagar (Town), District Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 21-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302/34 of the I.P.C.

The prosecution case, in short, is that on 13.1.2011 the
informant's brother-in-law Vikesh Kumar S/o Harekrishna Singh
informed through phone that his father Harekrishna Singh went
from house in the morning but could not return as yet. When the
informant came to Harakh, he found that on 12.1.2011 Bulbul
Singh had called Harekrishna Singh, who left along with him but
did not return by the evening. The informant tried to make inquiry
with Bulbul Singh, who informed that Rajeev Rai left him in the
night at Harhar Mahadev Chauk and when he went for verification
near said Chauk he found a motorcycle lying there. He went to
give information to Police Station and learnt that two dead bodies

is lying in the Hospital and seeing the clothes and driving licence he learnt that the dead body is of Harekrishna Singh. The informant raised suspicion that somebody had killed him and thrown the dead body there.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.5.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that the deceased had left along with the petitioner and later on he did not return home. From perusal of paragraph 32 of the case diary it is evident that the Medical Board came to the finding that the death of the deceased was due to road accident. His body is also said to have been found at the National Highway. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case. The case is of the year 2011. The petitioner has been made accused in the present case on the basis of the requisition made by the I.O. dated 4.3.2016.

On behalf of the State, it is submitted that the petitioner has not been made accused in the F.I.R. but later on, on the direction of the Supervising Officer the I.O. made the requisition for impleading the petitioner as an accused in the year 2016.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named 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 Chief Judicial Magistrate, Begusarai in connection with Begusarai Mufassil P.S. case No.29 of 2011.

(Sudhir Singh, J)

Narendra/-

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