

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24565 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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Bhawani Singh, S/o Nathuni Singh, Resident of Village- Dayalganj, P.S.-
Rajpur, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandrashekhar

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 30-06-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is in custody in connection with
Nasriganj Rajpur P.S. Case No. 40 of 2017, registered under
Sections 364, 201, 120(B) and 302 of the Indian Penal Code.

The accusation is that informant, Guddu Singh, along
with his brother, Bikesh Singh, proceeded to village Rajapur for
Bidai of wife of Bikesh Singh. Near the village Rajpur, he left his
brother, Bikesh Singh, near the Pipal tree and went at village
Dayalganj and informed to Asha Kumari, wife of Bikesh Singh,
about coming of Bikesh Singh then she talked to anyone on
mobile. Thereafter, informant along with wife of Bikesh Singh
proceeded and when he reached near the Pipal tree he did not find



his brother there. Thereafter, informant and Asha Kuamri went at Sasaram and after some time they returned at village Dayalganj. The informant came back at his village and quarried about his brother then his father disclosed that Bikesh Singh did not return. Thereafter, search was made but Bikesh Singh was found traceless. Thereafter, Maika people of Asha Kumari, wife of Bikesh Singh, came at his village and abused and threatened to lodge the case. Thereafter, the dead body of Bikesh Singh was found at Etwa canal. The informant raised suspicion about killing of his brother by Asha Kuamri, wife of deceased, in conspiracy of other people of Maika.

Learned counsel for the petitioner submits that petitioner is the brother of Asha Devi, wife of the deceased, and he is in Military service posted in Rajasthan and he had come in village for making arrangement of Bidai of his sister, Asha Kumari but he has falsely been implicated in this case due to ulterior motive. Further submission is that in course of investigation, it has come that Asha Kumari, sister of the petitioner, has illicit relation with Deepak, which would appear from paragraph 114 of the case diary, in which, he confessed his guilt about committing the murder of Bikesh Singh, wife if Asha Kumari. Further submission is that petitioner has no criminal



antecedent and is in custody since 07.03.2017.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Rohtas, in connection with Nasriganj Rajpur P.S. Case No. 40 of 2017. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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