

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42079 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- KOCHADHAMAN District- Kishanganj

SURENDRA PRASAD SINGH @ SURENDRA KUMAR SINGH @
SURENDRA SINGH S/o Late Sukhan Lal Singh, Resident of Badijan, P.S.-
Kochadhaman, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha
For the Opposite Party/s : Mr. Sri Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-09-2018 Heard learned counsel for the petitioner, learned APP
for the State and the informant.

The petitioner seeks bail in Kochdhaman P. S. Case
No 22/18 instituted for the offence under Section(s) 302/201,
120(B)/34 Indian Penal Code.

It is alleged in the written report that the informant's
son was having mobile shop in the house of this petitioner as
tenant. It is further alleged that informant's son did not return to
house till night on 6.2.2018. Subsequently, the informant learnt
that he had gone with his landlord, namely, Surender Prasad



Singh. When the informant reached the house of this petitioner, he found the house of this petitioner locked and no one was there. It is further alleged that on 7.2.2018 some villagers, namely, Ravi Kumar and Ram Babu gave information to local representatives i.e. Mukhiya and Sarpanch that two dead body are lying in the house of this petitioner. The local public informed the police about the dead body. After getting information, police came and after breaking open the door they found the two dead body of informant's son and wife of this petitioner. The police also found the neck of both the deceased were pressed with rope and blood was found around the mouth of both the dead body.

The counsel for petitioner submits that only suspicion has been raised against the petitioner.

Learned counsel for the State opposed the prayer for bail and submitted that this is a heinous crime of double murder. The petitioner has killed the son of the informant and his wife due to suspicion of having illicit relationship between them. The informant in his further statement in para 11, and other witnesses in para 23, 24, 25, 26 and 31 of case diary have stated similarly. The police has mentioned about the call details of deceased and the the petitioner in para 64 of case



diary. This petitioner has admitted before the police in his confessional statement of committing murder of his wife and son of petitioner. The postmortem report supports the case that the death has occurred due to asphyxia and throttling.

In such circumstances, this Court is not inclined to grant bail to the petitioner. Prayer for bail made on behalf of petitioner stands rejected.

Petitioner would be at liberty to renew prayer for bail after 09 months, if no substantial progress is made in the trial.

(Sanjay Priya, J)

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