

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.52635 of 2018**

Arising Out of P.S.Case No. -21 Year- 2018 Thana -ALAMNAGAR District- MADHEPURA

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Santosh Kumar Singh, S/o Shankar Singh, Resident of Village- Khapur,  
Ward No. 11, P.S. Alamnagar (Ratwara O.P.), Dist.- Madhepura.

.... .... Petitioner.

Versus

The State of Bihar.

.... .... Opposite Party.

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**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

**ORAL ORDER**

03 06-10-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Alamnagar (Ratwara  
O.P.) P.S. Case No.21 of 2018 registered under Section 302, 120-  
B/34 of the Indian Penal Code.

Petitioner is said to have called the son of the  
informant, namely, Pawan Kumar by telephone and committed his  
murder along with other accused persons named in the F.I.R.

It is submitted by learned counsel for the petitioner  
that no such occurrence as alleged took place. He has no concern  
with the aforesaid occurrence. He has been falsely implicated in  
this case. In the F.I.R., the informant has stated that only petitioner  
had called the deceased on telephone but in his statement under  
Section 164 Cr.P.C. he has stated that besides the petitioner,



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Munna Singh, Jaikant Singh, Sohan Kumar, Sawali Devi, Ravin Kumar, Bijo Singh, Nakul Singh, Sulo Singh and Kapildeo Paswan had called the deceased on telephone on the date of occurrence. Though in the F.I.R., the informant has stated that when the deceased not regressed to the house for one hour he went to the house of Santosh Kumar Singh and found the said deceased sitting with the Santosh Kumar Singh, Mithun, Puja along with three unknown persons there. He has also stated that in the night of the occurrence he has also seen Santosh Kumar Singh and others regressing from the side of Madhya Vidyalaya and on the following morning the dead body of the Pawan Kumar was found near the said Vidyalaya but in his statement recorded under Section 164 Cr.P.C. he has not stated so. Besides him, his wife Lata Devi and brother Manoj Singh and Sushila Devi have also not stated so. In his statement under Section 164 Cr.P.C., the informant has stated that preceding to the occurrence on the occasion of Saraswati Puja there was an altercation with Jaikant Singh, father of the Mukhiya but the said Jaikant Singh, Bijo Singh and Ravin Singh have been enlarged on bail by coordinate Bench of this Court out of which Jaikant Singh and Ravin Singh have been enlarged on anticipatory bail. Petitioner has been languishing in custody since 07.02.2018.



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Learned counsels for the State and the informant vehemently opposing the bail petition have submitted that the petitioner had called the deceased on telephone and later on committed his murder in association with his accomplices and altogether nine sharp cutting injuries were found on the person of the deceased. Hence, the petitioner does not deserve bail.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Udakishunganj, Madhepura in connection with Alamnagar (Ratwara O.P.) P.S. Case No.21 of 2018.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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