

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12798 of 2019

Arising Out of PS. Case No.-335 Year-2018 Thana- RIVILGANJ District- Saran

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AVINASH SINGH @ MANISH SINGH @ AVINASH KUMAR SINGH Son
of Jitendra Singh Resident of Village- Inai, P.S.- Ravilganj, District- Saran at
Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Manish Kumar No2

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 18-06-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

informant.

The petitioner apprehends his arrest in connection
with Rivilganj P.S. Case No.335 of 2018 registered under
Sections 302 and 120(B)/34 of the Indian Penal Code.

The accusation is that on 24.10.2018, Rohit Kumar
Singh and Munnu alias Ranjan Kumar Singh, both sons of the
informant, slept at the door, after taking the dinner. In the
morning of 25.10.2018 at about 03.00 A.M., Mukul Kumar,
Munchun Kumar Singh, Puttu alias Raviranjana Singh, Akash
Singh alias Anish Kumar Singh, Avinash Singh alias Manish
Singh (petitioner), Ashish Kumar Singh alias Dhanish Singh and



one unknown boy came at the door of the informant and under conspiracy took Rohit Kumar Singh from his door, while Munnu alias Ranjan Kumar Singh made protest. Regarding that, Munnu alias Ranjan gave information at the house. Thereafter, at about 04.30 A.M., when the informant in course of search of Rohit Kumar Singh was going to attend the call of nature at the south direction of Saryu river, he heard the sound of crying and when the informant went ahead, then saw that the aforesaid persons having sword, gupti, knife and other sharp cutting weapons were causing assault Rohit Kumar Singh. On hearing the cry and seeing the informant, all the aforesaid persons fled away and Rohit Kumar Singh was lying in a pool of blood. On alarm, when the villagers rushed, till that time, Rohit Kumar Singh had already died.

Learned counsel appearing on behalf of the petitioner submits that the petitioner and other accused are the next door neighbour of the informant. The petitioner has no criminal antecedent. While the informant has claimed to have identified the petitioner in the morning at about 04.30 A.M., but the informant has not disclosed the source of identification.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his



arrest or surrender by him within six weeks from today, be enlarged on bail on his 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-VIII, Saran at Chapra, in connection with Rivilganj P.S. Case No.335 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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