

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30986 of 2019

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

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MUNCHUN KUMAR SINGH Son of Late Rajesh Singh Resident of Village
- Inai, P.S.- Rivilganj, Dist.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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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 seeks bail 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 (petitioner), Puttu alias Raviranjn
Singh, Akash Singh alias Anish Kumar Singh, Avinash Singh
alias Manish Singh, 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 to 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. Nawal Kishore Singh, the uncle of the petitioner, is an eye witness in Sessions Trial No.412 of 2006, arising out of Rivilganj P.S. Case No.17 of 2005 registered for the offence under Sections 302/34 of the Indian Penal Code besides Section 27 of the Arms Act in which the informant of the present case is main accused, due to that



reason, after the death of his son Rohit Kumar Singh, the informant has lodged the present case implicating the whole family of the petitioner. The petitioner having no criminal antecedent is in custody since 25.10.2018. While the informant 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 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-VIII, Saran at Chapra, in connection with Rivilganj P.S. Case No.335 of 2018.

(Rajendra Kumar Mishra, J)

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