

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40074 of 2019

Arising Out of PS. Case No.-14 Year-2018 Thana- TARAPUR District- Munger

1. SUBHASH SINGH, aged about 43 years, Male, Son of Onkar Singh, Resident of Village- Bhima, P.S.- Tarapur, District- Munger
2. Shekhar Singh @ Chandra Shekhar Singh, aged about 31 years, Male, Son of Onkar Singh, Resident of Village- Bhima, P.S.- Tarapur, District- Munger
3. Karu Singh @ Ramesh Chandra Singh, aged about 55 years, Male, Son of Late Adhik Lal Singh, Resident of Village- Bhima, P.S.- Tarapur, District- Munger
4. Sanjay Ravidas @ Sanjay Das, aged about 30 years, Male, Son of Khyali Das Resident of Village- Bhima, P.S.- Tarapur, District- Munger

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Bharat Lal, Adv.

For the Opposite Party : Mr. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Tarapur P.S. Case No. 14 of 2018 for the offences alleged under Sections 302 and 120B/34 of the Indian Penal Code.

The accusation is that informant, Bablu Sah, use to sell fish in the market. Petitioners and Subhash Singh on 12.01.2018 abused the informant and his man, Chunchun Sah, for which the informant made a complaint to the Circle Officer, Tarapur. In the meantime, petitioners no. 1, 2 and 3 also gave threatening to the informant. On 14.01.2018 informant came to



the market from his house to sell the fish whereas his son, Raushan Kumar, was near Durga Asthan, but, he did not return till evening to the house. Raushan Kumar was searched every where but could not be traced. On 17.01.2018 the dead body of his son was found in the well located in Thakurbari. The informant raised suspicion against the petitioners of having hand in the murder of his son.

The learned counsel appearing for the petitioners submits that the informant implicated the petitioners and Subhash Singh mere on suspicion. On investigation, the police submitted the final form against the petitioners, but, the learned trial Court, differing with the final form, took cognizance under Sections 302 and 120B/34 of the Indian Penal Code. Petitioner no. 1, Subhash Singh, is accused in Tarapur P.S. Case No. 114 of 2006 under Sections 447, 504, 506 and 34 of the Indian Penal Code in which he is on bail and the other petitioners do not have any criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in



connection with Tarapur P.S. Case No. 14 of 2018 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, IV, Munger, subject to the conditions as laid down under Section 438(2) Criminal Procedure.

(Rajendra Kumar Mishra, J)

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