

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4717 of 2020

Arising Out of PS. Case No.-99 Year-2014 Thana- SHAHKUND District- Bhagalpur

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UMA SHANKAR SINGH Son of Sri Arjun Singh Resident of Village -
Kariyamma, P.S.- Rajoun, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 24-06-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsels for the petitioner and the
State.

The petitioner, who is languishing in custody since
11.09.2019, has preferred the present application for grant of
bail in a case registered for the offences punishable under
Sections 302/34 of the IPC.

The prosecution case, as per the fardbeyan of Usha
Devi, recorded by S.I., Neraj Pumar of Sajaun Police Station, on
19.06.2014 at 8.15 A.M., is to the effect that on 18.06.2014 at
about 10 P.M., all the nine FIR named accused persons
including the petitioner came into the Ashram and brutally
murdered one saint, namely, Swami Abhishanand Ji by deadly



weapons. The reason for the occurrence is alleged that one plot of land was donated by the informant to the alleged Ashram which was disputed by the accused persons and all the accused persons, most of them are relatives including the brother of the informant, were demanding Rs. 6 lacs from the deceased.

It is submitted by learned counsel for the petitioner that since the informant had illicit relationship with the deceased, which was opposed by the petitioner and other co-accused persons and hence, they have falsely been framed in the present case. hence the alleged occurrence took place. The accusation against the petitioner is omnibus and general. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. Moreover, since situated co-accused persons, Shatrughan Singh, Prakash Singh, Changori Mandal @ Changuri Singh, Prakash Singh @ Prakash Mandal and Premanand Singh @ Prem Kumar have been granted bail by different Co-ordinate benches of this Court, vide order dated 12.10.2015, 03.03.2015, 19.02.2016, 10.05.2016 and 04.10.2017, passed in Cr. Misc. Nos. 46305 of 2015, 47139 of 2014, 7832 of 2016, 13272 of 2016 and 32688 of 2017, respectively.

Learned APP submits that the petitioner is named in



the FIR with specific accusation.

Considering the fact that accusation against the petitioner is omnibus and general, investigation has already been concluded, similarly situated co-accused persons have been granted bail by different Co-ordinate benches of this Court and the statement made in paragraph no.3 of the petition to the effect that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned SDJM, Bhagalpur in connection with Shahkund P.S. Case No. 99 of 2014.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned SDJM,



Bhagalpur in connection with Shahkund P.S. Case No. 99 of 2014.

The learned Court below will be at liberty to extend the period of provisional bail further if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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