

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12843 of 2020

Arising Out of PS. Case No.-414 Year-2019 Thana- AKBARPUR District- Nawada

Chhote Singh Son of Avtar Singh Resident of Village - Paharpur, P.S.-
Akbarpur, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan Kumar
For the Opposite Party/s : Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-06-2020 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
24.10.2019, has preferred the present application for grant of
bail in a case registered for the offences punishable under
Sections 302, 201 and 120B/34 of the IPC.

The prosecution case, as per the written report of
Tunni Devi, submitted to the S.H.O., Akabarpur is to the effect
that on 24.09.2019 at about 2 P.M., the husband of the
informant, Lakhan Yadav, who was carrying Rs. 50,000/-, went
to purchase animal when one Mithu Rajbansi was also
accompanying him, and when the husband of the informant did



not return till 9 P.M., then the informant went to the house of Mithu Rajbansi, who was not available in his house. On 25.09.2019 at about 5.30 A.M., rumor was spread in the market that one dead body is lying, when the informant went there and found the dead body of her husband with injuries. The informant suspected that at the hands of the petitioner, her husband has been killed.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the accusation has been levelled against the petitioner. There is no eye-witness to the alleged occurrence. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. Moreover, investigation has already been concluded and the petitioner is languishing in custody since 24.10.2019.

Learned APP submits that in FIR, the informant has raised suspicion of her husband being killed by the petitioner.

Considering the suspicious nature of accusation, period under custody and the investigation already being concluded coupled with the fact 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 ACJM-I, Nawada in connection with Akbarpur P.S.
Case No. 414 of 2019.

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 ACJM-I, Nawada in connection with Akbarpur P.S. Case No. 414 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

