

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18644 of 2020

Arising Out of PS. Case No.-187 Year-2019 Thana- RAGHUNATHPUR District- Siwan

RAVI RAUSHAN SINGH @ RAVI RASHAN SINGH Son of Rajesh Kumar
Singh Resident of Village-Santhi, Police Station-Raghunathpur, District-
Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad
For the informant	:	Mr. Prashant Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 08-09-2020 Heard learned Counsel for the petitioner, learned
Counsel for the informant and learned Additional Public
Prosecutor representing the State, through Video Conferencing.

The petitioner seeks regular bail in connection with
Raghunathpur Police Station Case No. 187 of 2019, registered
for the offences punishable under Sections 363/504/302/201/34
of the Indian Penal Code.

The allegation against the petitioner is that on the
alleged date of occurrence, i.e. on 09.08.2019, the petitioner
arrived at the house of the informant and enquired about his son,
Shubham Kumar and said that his mother has called him. It has
further been alleged that the son of the informant accompanied
the petitioner on a motorcycle and thereafter the son of the



informant was not traceable. A Sanha was recorded on 26.08.2019 and the First Information Report was lodged on 11.09.2019.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case and there is considerable delay in lodging of the First Information Report. He further submits that the occurrence is of 09.08.2019, Sanha was recorded on 26.08.2049 and the First Information Report was lodged on 11.09.2019 and there is no explanation of delay in lodging of the First Information Report.

On the other hand, learned Additional Public Prosecutor and learned Counsel for the informant vehemently oppose the prayer for bail and submit that after lodging of the First Information Report, the police started investigation into the matter and in course of investigation, the police recorded the statement of the driver on 14.09.2019 (paragraph 41 of the case diary), in which he has specifically stated that the deceased was pushed in the river near Manjhi by the petitioner, leading to drowning of the deceased. They further submitted that from the electronic evidence, i.e. tower location of the deceased and the petitioner, it appears that both were together on 09.08.2019 (the date of occurrence) at about 11:18 AM. They further submitted



that other witnesses have also seen the petitioner as well as the deceased going in a vehicle and the motive behind the murder of the deceased has also been disclosed by the petitioner himself and other witnesses in paragraphs 81, 105 and 108 of the case diary.

Learned Counsel for the petitioner, in reply, submits that the tower location of the petitioner as well as the deceased was not consistent and the tower location of the deceased was available till 11:49 AM; whereas the tower location of the petitioner was up to 11:18 AM only on the alleged date of occurrence. Accordingly, the submission of learned Counsel for the petitioner is that it is the circumstantial evidence and no cogent material has been brought by the police in course of investigation.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the deceased was last seen with the petitioner and the driver of the vehicle has claimed to be an eye-witness to the incident and the motive behind the alleged killing of the deceased has also been disclosed in course of investigation, I am not inclined to grant regular bail to the petitioner.

This application is dismissed.



However, the petitioner may renew his prayer for bail after one year from today, if the trial does not show any progress.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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