

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21218 of 2020**

Arising Out of PS. Case No.-110 Year-2019 Thana- JALALPUR District- Saran

JATASHANKAR SINGH Son of Late Bhuneshwar Singh Resident of Village
- Rampur, P.S. - Manhauwra, District - Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the State	:	Mr. Ram Priya Saran Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 24-09-2020 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner assisted by Ms. Vaishnavi Singh, learned Advocate and Mr. Ram Priya Saran Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking pre-arrest bail in connection with Jalalpur P.S. Case No. 110 of 2019 registered for the offence under Sections 363, 365, 364 of the Indian Penal Code, pending in the court of learned Chief Judicial Magistrate, Saran.

Ms. Vaishnavi Singh, while initiating the argument on behalf the petitioner has taken this Court through the allegations made in the First Information Report. It is submitted that the petitioner being Panchayat Secretary is said to be one amongst the other Panchayat Secretaries who had gone to the house of



the Mukhiya in connection with the official work and the victim Hareram Yadav was also there. The CCTV footage which has been collected in course of investigation shows that all persons had entered into the big room (Hallnuma Kamra) at about 4:30 P.M. and then they came out of that and went towards the Dalan of Raman Singh who is husband of the Mukhiya. At this stage, Mr. Ajay Kumar Thakur, learned counsel for the petitioner has joined the proceeding and submitted that the petitioner himself had been dropped at his house by said Raman Singh and at that time the petitioner was unconscious. In fact he has explained that after taking breakfast and water he had become unconscious and in that condition he was dropped at his house.

Mr. Thakur has drawn the attention of this Court towards the order passed by learned coordinate Bench of this Court in Cr. Misc. No. 70025 of 2019 (Annexure '2') by which Dharamnath Sharma and Shailesh Kumar Singh the other two Panchayat Secretaries who are similarly situated with the petitioner have been granted regular bail by learned coordinate Bench of this Court. It is submitted that save and except suspicion there is no material against the petitioner and the victim had been seen in the house of Mukhiya only.

On the other hand, learned A.P.P. for the State has



opposed the prayer for anticipatory bail of the petitioner. It is submitted that the petitioner was one amongst the persons present and lastly seen with the victim. It is further submitted that since the petitioner is said to be similarly situated with Dharamnath Sharma and Shailesh Kumar Singh who have been granted privilege of regular bail by a learned coordinate Bench of this Court, the petitioner may also surrender and seek bail in the court below.

Having regard to the facts and circumstances of the case and the materials placed before this Court, this Court has noticed that in the case diary the only thing which has come against the petitioner is that he was also present along with the other Panchayat Secretaries and all of them had been seen going towards Dalan of said Raman Singh. This petitioner is said to be a resident of another village and he was dropped at his house in unconscious condition by said Raman Singh. This Court has also noticed that two Panchayat Secretaries have been granted regular bail by learned coordinate Bench of this Court, therefore, the Court is of the opinion that the petitioner should also surrender in the court below within a period of four weeks from today and pray for regular bail in the court below. The petitioner will place his case along with the order passed by the



learned coordinate Bench of this Court and the learned court below shall consider the same for purpose of grant of regular bail to the petitioner.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

