

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25589 of 2020

Arising Out of PS. Case No.-227 Year-2018 Thana- PIRO District- Bhojpur

Sushil Kumar Singh, aged about 37 years, Male, Son of Late Lalam Singh,
Resident of Village- Tenduni, P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate
For the State : Mr.Laxmikant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-11-2020 Heard learned counsel for the petitioner, the State and
the in formant through the virtual court proceeding.

The petitioner seeks bail in connection with Piro P.S.
Case No. 227 of 2018 registered for the offences punishable
under Sections 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

Allegation against the petitioner is that the deceased
Virendra Singh is the husband of the informant and the
accused/petitioner is brother-in-law of the deceased. The
accused/petitioner is not named in the F.I.R. and his name has
come during investigation. The named accused are the Gotias of
the family of the deceased. The informant has supported her
statement in para 3 of the case diary while the witnesses in para
9(father of the deceased), 31(Ramita Kumari, daughter of the



deceased), 32(Sri Niwas Singh), 110(Kapil Muni), 111(Sonalal Singh) and 112(Bhagwan Singh) have supported the prosecution story. The petitioner/accused himself has supported the prosecution story in para 28 of the case diary. The witness in para 39(Mahendra Singh) has stated that the informant with the petitioner – accused conspired to murder the deceased Virendra Singh and has also got some property transferred in her name after the death of her husband on 02.08.2018 and the named accused are innocent. The supervision report in para 47, 103 and 171 states about suspicion of interference of the informant with the petitioner/accused and one Vijay Singh in concocting the murder of Virendra Singh. Para 60 of the case diary states that the father and mother of the deceased have executed Gift Deed in favour of the informant Ranju Devi in respect of one acre forty three decimal land on 01.10.2018. The Death Inquest Report in para 16 states about death due to fire arm seizure list para 17 states about seizure of Khokha from spot and prosecution report para 23 states cause of death due to fire arm bullet injury which shows that Virendra Singh died of fire arm injury.

Learned counsel for the petitioner submits that the petitioner is brother-in-law of the deceased while the informant



is wife of the deceased. Learned counsel for the petitioner further submits that the petitioner is innocent and has committed no offence and was not named in the F.I.R. His name has come during investigation. Learned counsel for the petitioner further submits that without any evidence, the police has included out the petitioner-accused in the present case. Learned counsel for the petitioner further submits that there is no eye witness in the case and from perusal of the evidence recorded by I.O., there is no direct or indirect evidence against the petitioner. Learned counsel for the petitioner further submits that that the petitioner is in jail custody since 21.05.2020.

Learned counsel for the State submits that in the case diary, all the independent witnesses have supported the prosecution case.

I have perused the record including the case diary. The allegation against the petitioner is only conspirator in the present case. Learned counsel for the petitioner submits that the charge has been framed.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned



A.C.J.M.-V, Ara in connection with Piro P.S. Case No. 227 of
2018.

(Anjani Kumar Sharan, J)

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