

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81886 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- BIBHUTIPUR District- Samastipur

Nepo Singh @ Gopal Kumar, Son of Late Surendra Singh, Resident of
Village - Mahthi, P.S.- Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 22-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bibhutipur P.S. Case No. 32 of 2019, registered under
Section 396 of the Indian Penal Code.

The accusation is that Awedhesh Prasad Singh,
uncle of the informant, Rajeev Kumar Singh, used to reside in
Murli Manohar Thakurwari in the village Mahti. On 08.02.2019,
his uncle was not seen in the Thakurwari. When informant along
with villagers went at Thakurwari and started to search his uncle
then dead body of his uncle was found inside the Thakurwari,
where another priest was found in unconscious condition and
several valuable idols were removed from the Thakurwari.



Learned counsel for the petitioner submits that on the basis of written information of informant, Rajeev Kumar Singh, Bibhutipur P.S. Case No. 32 of 2019 was instituted against the unknown but in course of investigation, on the basis of spy, the Investigating Officer noted down mobile numbers of four persons including the petitioner, as detailed in paragraph 30 of the case diary. Thereafter, Investigating Officer apprehended to Prince Kumar, whose confessional statement was recorded, as detailed in paragraph 46 of the case dairy, in which, he stated his involvement along with six persons including the petitioner having hand in committing murder of uncle of the informant at the time of committing theft of idols. Further submission is that while the statement of injured, Raj Kumar Das, as detailed in paragraph 101 of the case diary but he has not claimed to identify any miscreants. In fact, petitioner is resident of same village due to that reason, he has been implicated in the present case. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Rosera, Samastipur, in connection with Bibhutipur P.S. Case No. 32 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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