

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28889 of 2020

Arising Out of PS. Case No.-543 Year-2018 Thana- KUDHNI District- Muzaffarpur

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JUGNU SINGH S/o Ravindra Thakur, Resident of Village- Repura, P.S.-
Tajpur Waini O.P., District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Adv.
		Mr.Sanjay Kumar @ S.K., Adv.
For the Opposite Party/s :		Mrs. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 22-01-2021 Heard the learned counsel for the petitioner and Smt.
Anita Kumari Singh, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Kudhani P.S. Case No. 543 of 2018 for the offence punishable
under Section 302 of the Indian Penal Code.

The informant is stated to have received information
on 29.10.2018 from Dhirendra Kumar to the effect that the
accused persons including the petitioner herein had arrived at
Vaishali hotel, where the deceased and other persons were
taking meal, whereupon the petitioner is alleged to have opened
fire and the accused persons had kidnapped the brother of the
informant, whereafter on the next day morning, the dead body
of the deceased was recovered.



The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and in fact there is no specific allegation as against the petitioner of having killed the deceased. It is further submitted that similarly situated co-accused person namely Abhimanyu Kumar Singh @ Abhimanyu Kumar @ Abhimanyu Singh @ Monu Singh has already been granted bail by a co-ordinate Bench of this Court vide order dated 19.03.2020 passed in Cr. Misc. No. 74825 of 2019 and the petitioner is stated to be languishing in custody since 27.06.2019.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on records as also those available in the case diary, it is apparent from the statement made by the witness Dharendra Kumar, before the police during the course of investigation, as has also been recorded in paragraph No.7 of the case diary, that the petitioner had arrived at the alleged place of occurrence where the brother of the informant was present from before and



the petitioner had resorted to firing whereafter the petitioner and other accused persons had kidnapped the brother of the informant and on the next day morning his dead body was recovered. It is apparent from the materials available in the case diary that ample evidence has been collected, during the course of investigation, so as to prima facie point out towards the complicity of the petitioner in the alleged crime and moreover, the aforesaid case of Abhimanyu Kumar Singh is distinguishable in the facts and circumstances of the present case, hence, I do not find any merit in the present petition, which has been filed by the petitioner for grant of bail, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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