

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30654 of 2020

Arising Out of PS. Case No.-300 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

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AVINASH SINGH @ AVINASH KUMAR SINGH @ ALOK SINGH @
LANGRA Son of Surendra Prasad Singh Resident of Village - Dighikala East,
near Harijan Chatrawas, Bhagirathi Nagar, P.S. - Hajipur Sadar, District -
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 05-02-2021 Heard learned counsel for the petitioner and learned
APP for the State. Learned counsel for the petitioner has filed an
undertaking to remove all defects pointed out by the Stamp
Reporter as and when required. It is accordingly directed that all
defects pointed out by the Stamp Reporter be removed within
one month hereof.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 302, 364, 201, 420, 406, 120(B) of the
Indian Penal Code registered in connection with Hajipur Sadar
P.S. Case No. 300 of 2020.

3. It is submitted that the petitioner has been falsely
implicated in connection with alleged murder of the informant's
father. The FIR has been instituted against as many as 19 named
and 10-16 unknown persons. It is submitted that except



suspicion there is no objective material to connect the petitioner with the alleged occurrence. The allegation that the petitioner had used his mobile phone to call the deceased on 16.05.2020 is denied. It is submitted that the accusation that the petitioner has taken Rs. 60,00,000/- to provide Railway job is not supported by any receipt and in any event the petitioner had no authority to provide any such Railway job. The petitioner claims clean antecedents.

4. Learned APP appears and submits on the basis of paragraphs 12 and 13 of the case diary that witnesses Amod Singh and Rakesh Singh have supported the prosecution case.

5. Be that as it may and considering the call details recorded in para 91 of the case diary do not disclose any call to have been made from the petitioner's mobile phone to the mobile phone of the deceased, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Hajipur Sadar P.S. Case No. 300 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C. if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are



removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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