

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36395 of 2020

Arising Out of PS. Case No.-128 Year-2018 Thana- BARAULI District- Gopalganj

DEVENDRA SINGH, S/o Late Harihar Singh, Resident of Village-
Bharkuriyan, Police Station-Barauli, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. APP.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-02-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Sections 302, 201/34
of the Indian Penal Code.

Petitioner had earlier moved this Court for regular bail
vide Cr. Misc. No. 8447 of 2019 which was rejected on
06.03.2019.

Informant who is the wife of the deceased has alleged
that on 25.05.2018, when she was doing her household works,
she saw that at the door of her house, Devendra Singh
(petitioner), Manoj Singh, Deepak Singh, Manjit Singh, Sapna
Kumari, Sidhi Devi and Neha Singh were talking with each
other. In the meantime, her husband arrived on a motorcycle



and he was pushed down from the motorcycle and the co-accused, Manjit Singh and Deepak Singh came out and caught him and at the instigation of Deepak Singh Manoj Singh inflicted Tangi blow on the Neck of her husband and Devendra Singh (petitioner) assaulted on his leg by Dab as result of which he became unconscious. It has further been alleged that after keeping the dead-body of the husband of the informant near the husk and woods, co-accused poured kerosene oil and set the dead body ablaze.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case. The petitioner is father of deceased aged about 70 years old who has lost his son but has been made victim on account of family dispute. All family members including female members have been made accused and incident took place in a fit of anger. Petitioner has no criminal antecedent and is in custody since 26.05.2018.

Considering the aforesaid facts and circumstances of the case and also the fact that petitioner is 70 years old person, let the petitioner named above be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned



Additional District and Sessions Judge-IV, Goplaganj, in connection with Barauli P.S. Case No. 128 of 2018 corresponding to S.Tr. No. 612 of 2018 subject to the conditions that:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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