

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32620 of 2020

Arising Out of PS. Case No.-128 Year-2020 Thana- PANCHRUKHI District- Siwan

KEDAR SINGH Son of Late Ramprit Singh Resident of Village - Kodai, P.S.-
Pachrukhi, District - Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Raju Prasad,Advocate
For the Opposite Party/s	:	Mr.Shyam Kumar Singh,APP
For the Informant	:	Mr.Bijay Prakash Singh,Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-01-2021 Heard learned counsel for the petitioner, learned counsel
for the informant and Mr. Shyam Kumar Singh, learned APP for the
State.

The petitioner in the present case is seeking regular bail in
connection with Pachrukhi P.S. Case No. 128 of 2020 registered for
the offences punishable under Sections 302/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
informant in her written report alleged that on 25.05.2020 Kedar
Singh (petitioner), Raju Singh and Srikanti Devi came at the door of
the informant and started abusing her, when her husband Jagannath
Singh protested, all the three including the petitioner assaulted the
informant's husband by lathi and thereby her husband died on the
spot.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Learned counsel submits that though the petitioner is named in the FIR with others with allegation of assault caused to the deceased but no external injury has been found on the person of the deceased.

Learned APP for the State and learned counsel for the informant have opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein the allegation against the petitioner is that he was one amongst the three named accused persons who had assaulted the deceased but learned APP for the State has, after going through the case diary informed this Court that no external injury has been found on the body of the deceased and the cause of death is not due to any injury, let the petitioner above-named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, District-Siwan, in connection with Pachrukhi P.S. Case No. 128 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make



any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Case diary has been returned. Let it be kept on record.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

