

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33132 of 2020

Arising Out of PS. Case No.-114 Year-2019 Thana- JEHANABAD RAIL P.S. District- Patna

NITENDRA SINGH @ NITENDRA SINHA @ JITENDRA S/o Sarwanand Singh R/o village- Khaira Lakhana, P.S.- Gaurichak, District- Patna, at present Sidhachak Bihar Colony Agam Kuan, P.S.- Agam Kuan, District- Patna

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Yogesh Chandra Verma, Senior Advocate Mr. Kamod Kumar Vidyarthi, Advocate
For the Opposite Party	:	Mr. Parmanand Kumar, APp

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 11-01-2021 Heard learned senior counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of Jehanabad (Taregna) Rail P.S. Case No. 114 of 2019, registered for the offence punishable under Section 302/34 of the Indian Penal Code.

From the First Information Report itself, it is evident that land dispute between the informant and the persons named in the First Information Report was continuing since long and was existing on the date of occurrence. The informant and two persons named in the First Information Report are sons



born of two wives of one late Sadhu Saran Singh.

It appears from the records that the informant is son of Ramsheela Devi wife of late Sadhu Saran Singh, whereas co-accused Sanjay Singh and Vijay Singh are sons of late Girija Devi, another wife of late Sadhu Saran Singh. The petitioner and late Sadhu Saran Singh were full brothers.

Mr. Yogesh Chandra Verma, learned senior counsel appearing on behalf of the petitioner has argued that suspicion is the only basis for implication of the petitioner and there is absolutely no other material to justify the petitioner's implication in the criminal case.

I have perused the case diary. I find substance in submission made on behalf of the petitioner that there is no direct material to connect the petitioner with the alleged crime. The petitioner is in custody since 20.02.2020 and he does not have criminal antecedent.

Considering the aforesaid, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Patna, in Jehanabad



(Taregna) Rail P.S. Case No. 114 of 2019.

(Chakradhari Sharan Singh, J)

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