

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37576 of 2020

Arising Out of PS. Case No.-306 Year-2016 Thana- MADHAURAH District- Saran

Manager Singh, aged about 64 years, Gender-Male, S/o Late Sunder Singh,
R/o Village- Afrad, P.O.- Pokhra, P.S.- Maharajganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Shekhar Singh, Advocate
For the State	:	Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 02-03-2021

Heard Mr. Chandra Shekhar Singh, learned counsel for the petitioner and Ms. Sangeeta Sharma, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Marhaura PS Case No.306 of 2016 dated 29.06.2016, instituted under Section 302 of the Indian Penal Code.

3. The allegation against the petitioner is that he was party to the death of the maternal uncle of the informant.

4. Learned counsel for the petitioner submitted that in the FIR itself it has been stated that the petitioner, the deceased and others were part of a singing group and on the fateful day, they had gone to perform, but the deceased became ill, and was



referred to various hospitals and finally, Patna Medical College and Hospital, but on way, he died. He submitted that only because the petitioner did not come on the call of the informant, he has been made accused. It was submitted that the petitioner had commitment to complete the contract and that is why he could not come and, initially, he had taken the deceased to the first Primary Health Center and thereafter another member of the musical party, namely, Lakhan Ram, had coordinated with the informant. Learned counsel submitted that even the postmortem report does not disclose any external injury and the death is said to have been caused by shock and hemorrhage and blood has been found in the brain cavity, which clearly indicates that there was no foul play. It was submitted that the petitioner has no criminal antecedent and is in custody since 06.02.2020.

5. Learned APP, from the case diary, submitted that there is suspicion against the petitioner as he did not come even when called.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the CJM, Saran at Chapra, in



Marhaura PS Case No.306 of 2016, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner shall cooperate with the Court/police/prosecution. Failure to cooperate shall lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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