

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38016 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- SRINAGAR District- West Champaran

Ramayan Singh, aged about 50 years, Gender – Male, Son of Late Shankar Singh, Resident of Village Pujaha Tar Tola P.S.- Srinagar Pujaha Bettiah District West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Advocate
For the State : Mr.Dilip Kumar No.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 07-04-2021 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Srinagar Pujaha P.S. Case No. 44 of 2020 registered for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

The brief facts of the case is that on 14.05.2020, one Lalita Devi, wife of Late Om Prakash Singh lodged written Complaint addressed to the officer-in-charge of Srinagar Punjaha P.S., stating therein that on 13.05.2020 around 9 P.M., Ramayan Singh, Ishwar Singh and Nand Kishore Singh came to her house and took her husband to the house of Ramayan Singh



for having meal. She further stated that around 11 P.M., she along with her son had gone to the house of Ramayan Singh and there she saw that Ishwar Singh @ Rameshwar Singh, Ramayan Singh, Nand Kishore Singh, Arbind Kumar Singh, Ranjeet Singh, Phoolpari Devi, Shambhu Singh, Upendra Yadav and four other unknown persons, out of them, one was Ajay Singh, brother-in-law of Ishwar Singh, were present and they were watching television. She has further stated that in the morning of 14.05.2020, around 6:00 hours, she came to know that her husband has been murdered and when she ran to the place of occurrence she saw that the dead body of her husband was lying at the house of Ramayan Singh.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. There is no specific allegation against the petitioner. It is said to be the best of last seen.

By order dated 05.03.2021, a report was called for regarding the status of Srinagar Pujaha P.S. Case No.44 of 2020. The report is at Flag 'A'.

Perused the report of the learned Additional District and Sessions Judge-IV, Bettiah, West Champaran in which it is stated that the record has been received to this Court on



02.11.2020 and the charge has been framed by this Court on 20.01.2021. Later on Sessions Trial No.299 of 2020 has been amalgamated in this record on 20.01.2021 and one witness has been examined out of 10 charge-sheeted. The record is running for prosecution evidence.

In paragraphs 40, 41, 43, 55 and 56 of the case diary, the independent witness submits that they found that Om Prakash Singh had committed suicide by hanging himself. Seeing the dead body of Om Prakash Singh, the petitioner raised alarm upon which the villagers gathered and by removing the curtain they also saw the dead body of deceased hanging and as the door of the room was lodged from inside, therefore, the petitioner with the help of the co-villagers broke open the door, resulting into breaking of the latch of inside lock. Thereafter, the petitioner and other co-villagers entered into the room and brought down the dead body of the deceased and laid it on the bed kept in Dalan.

Learned counsel for the petitioner further submits that in paragraph-4 of the case diary, the police also found that the latch of inside lock is broken.

Learned counsel for the informant submits that there is land dispute between the parties therefore the petitioner killed



the informant's husband.

After submission of the parties, I perused the record and case diary. It is the case of last seen. There is no eye witness in the present case and petitioner is in jail custody since 15.05.2020 and petitioner has got no any criminal antecedent.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of Sri Rajkapoor, learned J.M. 1st Class, Bettiah, West Chamaran in connection with Srinagar Pujaha P.S. Case No. 44 of 2020.

However, the trial court is directed to conclude the trial within nine months.

(Anjani Kumar Sharan, J)

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