

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38045 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- INDUSTRIAL District- Bhagalpur

RAHUL KUMAR @ RAHUL KR. SINGH, Son of Ram Prasad Singh
Resident of Bahadurpur, P.S.- Bhagalpur Industrial Area, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-05-2021 Heard Mr. Chandra Shekhar Anand, learned

counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Bhagalpur Industrial Area P. S.
Case No. 13 of 2020, dated 28.02.2020, instituted for
the offences under Sections 302, 120B and 34 of the
Indian Penal Code.

The wife of the deceased has lodged the F.I.R.,
alleging that her husband had been murdered in the
temple where he used to work. A suspicion has been
raised that the petitioner and his family members might
have killed the deceased because of a dispute between



the cousin of the informant and the sister of the petitioner.

It has been submitted on behalf of the petitioner that the sister of the petitioner and the cousin of the informant had married each other out of love affairs between them. Thereafter, they fell apart and had been fighting amongst themselves. Precisely for this reason, it has been suspected, that the petitioner may have had his hand in killing the deceased.

The learned counsel for the petitioner has submitted that it is a very far-fetched and unacceptable analogy of the informant in expressing suspicion over the petitioner and his family members.

Assuming but not admitting the fact that the cousin of the informant was not happy with his wife, who is the sister of the petitioner, that itself would not be a strong motive or reason enough for killing the deceased. There is no other material in the entire investigation papers to bring home the charge of murder against the



petitioner.

Taking into account the afore-stated submissions, this Court *vide* order dated 15.04.2021 had called for the case-diary and had also granted provisional bail to the petitioner.

Considering the entirety of the prosecution case, this Court feels inclined to confirm the provisional bail granted to the petitioner.

The provisional bail of the petitioner is, hereby, confirmed. The petitioner shall remain on the same bail-bonds.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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