

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40572 of 2020

Arising Out of PS. Case No.-29 Year-2019 Thana- RASULPUR District- Saran

SUMAN SINGH@SUMANT SINGH Son of Late Ramayan Singh Resident
of Village - Renua, P.S.- Hussainganj, Distt. Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. J.P. Singh, Sr. Advocate Mr. Dipak Kumar
For the State	:	Mr. T.P. Madhav, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 26.07.2020 in connection with Rasulpur P.S. Case No. 29/19 registered for the offences punishable under Sections 302/120(B)/34 of the Indian Penal Code.

As per the prosecution case, niece of the informant informed the informant that husband of the informant has been killed by two unknown persons in the shed situated in front of the house of the Kashinath Tiwari. The informant suspects that due to old enmity, F.I.R. named persons including this petitioner killed her husband.

It is submitted on behalf of the petitioner that he has been falsely implicated in this case because of suspicion and old hostility. It is further submitted that petitioner is not named



rather one another Suman Tiwari has been named in the F.I.R. His name transpired in the confessional statement of co-accused Aditya Kumar Pandey which has no evidentiary value. Save and except, the confessional statement made before the police, there is no other material to connect this petitioner with the alleged occurrence. It is next submitted that co-accused Vikash Tiwari has already been granted bail by this Hon'ble Court vide order dated 04.06.2020 passed in Cr. Misc. No. 18159 of 2020. Petitioner has got clean antecedent. Chargesheet has already been submitted in this case and petitioner is in custody since 26.07.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Rasulpur P.S. Case No. 29/2019, subject to following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.
- (2) If the petitioner tempers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to
move for cancellation of bail.

(Prabhat Kumar Singh, J)

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