

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1947 of 2021**

Arising Out of PS. Case No.-347 Year-2019 Thana- KALYANPUR District- Samastipur

Thakur Vishwash Singh @ Chotu Son Of Late Uday Shankar Singh Resident  
of Village - Karpoori Gram, P.S. - Mufassil, District - Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                        |
|----------------------------|------------------------|
| For the Petitioner/s :     | Mr.Rajiv Kumar Singh   |
| For the Opposite Party/s : | Mr.Akhileshwar Dayal   |
|                            | Mr. Vishal Vikram Rana |
|                            | Mr.Sanjeev Kumar       |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5. 05-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kalyanpur P.S. Case No. 347 of 2019, registered for the offence under Sections 201/302/34 of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith co-accused Thakur Vikram Singh @ Mithoo took away the nephew of the informant from Bhuidhara on the motorcycle and committed his murder.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case on account of pre-existing animosity. It is further submitted that there is no eye-witness to the occurrence and the FIR has been lodged after



lapse of 30 hours and there is no explanation for the same. Even during course of investigation, none of the witnesses has supported the prosecution case or has alleged to have witnessed the occurrence. Petitioner is in custody since 18.12.2019.

However, learned A.P.P. for the State as well as counsel for the informant opposed the bail petition. It is submitted by counsel for the informant that from perusal of FIR, it is apparent that informant himself has seen this petitioner alongwith co-accused taking away the deceased and thereafter, the half-burnt dead-body of deceased was found in Kalyanpur.

Considering the aforesaid facts & circumstances and specific allegation against this petitioner of committing murder of deceased, which fact has been supported by the post-mortem report, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

**(Prabhat Kumar Singh, J.)**

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