

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6222 of 2021

Arising Out of PS. Case No.-238 Year-2019 Thana- KARAHGAR District- Rohtas

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C. K. SINGH @ ABHISHEK KUMAR SINGH Son of Rajendra Singh
Resident of Village - Panjar, P.S.- Karaghar, Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-04-2021 Heard Mr. Ramakant Sharma, learned senior counsel

for the petitioner and Mr. Parmanand Kumar, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Karaghar P.S. Case No. 238 of 2019 registered for the offences

punishable under Sections 302, 386, 34 of the Indian Penal

Code 1860 and Section 27 of the Arms Act.

The allegation against the petitioner as per the First

Information is that he along with other co-accused persons fired

upon the brother of the informant leading to his death.

Learned senior counsel for the petitioner submits that

the petitioner has falsely been implicated in this case with

oblique motive inasmuch as according to the First Information



Report, the occurrence has taken place on 18.9.2019 at about 2 O' clock in the afternoon and the Inquest report was prepared at about 3:45 p.m., in which, the informant and alleged eye witness Sushil Singh have signed as an eye witness. It has further been submitted by learned senior counsel that from perusal of the postmortem report at Annexure-2, it would be evident that the postmortem of the deceased was held at about 5:30 p.m. on 18.9.2019. Learned senior counsel referring to the First Information Report submits that the First Information Report was lodged on 18.9.2019 at about 9:30 in the night. Learned counsel also submits that the First Information Report was forwarded to the Magistrate after delay of two days and the same was lodged after preparation of Inquest report as well as Postmortem report which itself creates doubt in the prosecution story. Learned counsel next submits that other co-accused persons namely, Tej Pratap Singh @ B.K. Singh @ Ranveer Pratap Singh and D.K. Singh @ Dharamveer Kumar Singh @ Dharamveer Pratap Singh have been granted bail by this Court as well as co-ordinate Bench of this Court in Cr. Misc. 24417 of 2020 and 8750 of 2020 respectively.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact



that the First Information Report was lodged after preparation of Inquest report and the Postmortem report and further the similarly situated co-accused persons have been granted bail by this Court as well as co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Rohtas at Sasaram, in connection with Karaghar P.S. Case No. 238 of 2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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