

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84613 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- RIGA District- Sitamarhi

NARENDRA SINGH Son of Mahendra Singh Ex.-Senior General Manager,
Riga Sugar Company Ltd., resident of C/o Smt. Yashoda Chauhan, House
No.-174/Mohalla Kanoongoyan, Kashipur, Utranchal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 69775 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- RIGA District- Sitamarhi

OM PRAKASH DHANUKA Son of Late Purshottam Lal Dhanuka Chairman
cum Managing Director, Riga Sugar Company Ltd., Resident of Alipore
Terrace, 3rd Floor, 12 Raja Santosh Road, Kolkata-700027.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 84613 of 2019)

For the Petitioner/s : Mr. Y.V. Giri, Sr. Adv.
Mr.Ashish Giri, Adv.

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP
(In CRIMINAL MISCELLANEOUS No. 69775 of 2019)

For the Petitioner/s : Mr. Y.V. Giri, Sr.Adv.
Mr.Ashish Giri, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

9 11-01-2021 Heard Mr. Y.V. Giri, learned senior counsel for the

petitioners in both cases and Mr. Jitendra Kumar Singh and

Mr. Satyendra Narayan Singh, learned APPs.

Even today nobody appears on behalf of the informant

although the Court is open for physical hearing. It appears from



the order sheets that during the course of hearing through Virtual Mode, learned counsel for the informant never appeared.

Petitioners of both cases apprehend their arrest in Riga P.S. Case No.106 of 2018 registered under Sections 302, 120(B) and 34 of the IPC and under Section 27 of the Arms Act.

The informant alleged that on 27.12.2017 Riga Mill Workers Union informed the management of Riga Mill with regard to strike in relation to solving the problems of the labours. Om Prakash Dhanuka (owner of the Mill) and Narendra Singh (Assistant Manager of the Mill) had threatened the brother of the informant to resign from the post of President of Riga Mill Workers Union. On 08.04.2018 Om Prakash Kumar (elder brother of the informant) was going on his motorcycle bearing registration no.BR-30R-8497 along with Mithilesh Kumar at about 10:14 in the morning. The informant got information that two persons came on a motorcycle and killed his brother and thereafter they fled away towards Suppi. The informant further alleged that Om Prakash Dhanuka and Narendra Singh have conspired to kill his brother.

Mr. Y.V. Giri, learned senior counsel for the petitioners submits that the petitioners are the owner and the Manager of the Riga Sugar Mill. Mere allegation is made



against the petitioners that they have conspired to kill the brother of the informant, but no material is collected during the course of investigation. The petitioners have got no manner of concern with the killing of the brother of the informant. During course of investigation, three persons were arrested and they are said to have confessed their guilt. Only Manish (co-accused) disclosed that he had talked with the manager of the Mill but he did not disclose the names of the petitioners. There are many managers in Riga Sugar Mill and on such vague statement, the police are running after the petitioners.

Learned A.P.P. did not dispute the facts.

Taking into consideration the facts that the informant has only raised suspicion that the petitioners being the owner and the manager of Riga Sugar Mill conspired to kill his brother but during course of investigation no tangible material to show that the petitioners ever conspired is collected, Narendra Singh (petitioner of Cr.Misc.No.84613 of 2019) is directed to surrender in the court below within four weeks from the date of receipt/production of a copy of this order, and thereafter the learned court below shall enlarge him on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Sitamarhi in connection with Riga P.S. Case No.106 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far Om Prakash Dhanuka (petitioner of Cr.Misc.No.69775 of 2019) is concerned, the provisional anticipatory bail granted to him vide order dated 20.11.2019 is hereby confirmed.

(Prabhat Kumar Jha, J)

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