

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15142 of 2022

Arising Out of PS. Case No.-110 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RAM VINAY SINGH S/O LATE KEDAR SINGH R/o village- Khamhar,
P.S.- Begusarai Muffasil, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 4460 of 2022

Arising Out of PS. Case No.-110 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

- =====
1. GULSHAN KUMAR S/o Ram Vinay Singh R/o village- Khamhar, P.S.-
Begusarai Muffasil, Distt.- Begusarai
 2. Shyam Bihari Das S/o Late Kedar Singh R/o village- Khamhar, P.S.-
Begusarai Muffasil, Distt.- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 23948 of 2022

Arising Out of PS. Case No.-110 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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ANIL KUMAR SINGH @ ANIL KUMAR Son of Late Ramdeo Singh
Resident of Village - Khamhar, P.s.- Begusarai Muffasil, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 15142 of 2022)

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the State : Dr. Indihar Kumari, APP

For the Informant : Mr. Chandan Kumar Kashyap, Advocate

(In CRIMINAL MISCELLANEOUS No. 4460 of 2022)



For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the State : Dr. Indihar Kumari, APP
For the Informant : Mr. Chandan Kumar Kashyap, Advocate
(In CRIMINAL MISCELLANEOUS No. 23948 of 2022)
For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the State : Dr. Indihar Kumari, APP
For the Informant : Mr. Chandan Kumar Kashyap, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-12-2022 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302, 328 and 34 of the Indian Penal Code.

As per the prosecution case, It is stated by the informant that Ram Vinay Singh and Anil Singh took away his son for clearing some accounts. Thereafter it is stated that the other accused persons as named in the FIR were also present which was seen by the other son of the informant. It is further stated that the son of the informant namely, Nirbhay Kumar Singh did not return from the house of the accused persons and the next morning his dead body was recovered.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. There is no eye witness to the alleged occurrence. The manner of occurrence is other than what has been narrated in the FIR and the petitioners have been falsely implicated for oblique



reasons. While the three petitioners are in custody since 14.11.2021, the petitioner Anil Kumar Singh is in custody since 13.11.2021. They undertake to cooperate in the trial.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioners are named in the FIR but there are direct allegations against them. All the accused persons were seen by the other son of the informant before whom the deceased was present. It is the very next morning that the dead body of the deceased was recovered poisoned to death by the accused. It is further submitted that once the petitioners are enlarged on bail, they will not let the trial proceed.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the material that has transpired in course of investigation and the petitioners having remained in custody for more than 1 year, all four petitioners are directed to be enlarged on bail in connection with Begusarai Muffasil P.S Case no. 110 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Begusarai on the following



conditions:-

(I) The petitioners shall remain physically present in the learned trial court and shall cooperate in the trial.

(II) In case the learned trial court is of the opinion that the trial is being delayed due to non-cooperation of any one or more of the petitioners, the learned trial court will cancel the bail bond of the petitioner(s) concerned, will proceed to split up the trial and to expeditiously dispose of the case/trial.

(Partha Sarthy, J)

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