

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3494 of 2022

Arising Out of PS. Case No.-124 Year-2021 Thana- KHARHAGPUR District- Munger

Karu Singh @ Nayan Kumar, Son of Guddu Singh @ Santosh Singh.
Resident of Village- Paharpur, P.S.- Kharagpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4668 of 2022

Arising Out of PS. Case No.-124 Year-2021 Thana- KHARHAGPUR District- Munger

Puspendra @ Sintu @ Situ Singh, S/o Manna Singh, R/o Village- Paharpur,
P.S.- Haweli Kharagpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 16296 of 2022

Arising Out of PS. Case No.-124 Year-2021 Thana- KHARHAGPUR District- Munger

Suman Singh, Son of Late Ramvilash Singh, Resident of Village - Paharpur,
P.S.- Kharagpur, Distt.- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3494 of 2022)

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

(In CRIMINAL MISCELLANEOUS No. 4668 of 2022)

For the Petitioner/s : Mr.Ram Sevak Choudhary, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

(In CRIMINAL MISCELLANEOUS No. 16296 of 2022)

For the Petitioner/s : Mr.Indu Bhushan, Advocate

Ms. Priyanka Kumari, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP



CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 02-11-2022 Since all the petitions arise out of Kharagpur P.S.
Case No. 124 of 2021, as such, they have been taken up together
and are being disposed of by this common order.

Heard learned counsels for the petitioners and learned APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks.

In the present case, the petitioners seek bail in connection with Kharagpur P.S. Case No.124 of 2021, registered for the alleged offence under Sections 302, 120 (B)/34 of the Indian Penal Code.

As per the prosecution case, the petitioners and the other co-accused persons killed the son of the informant by slitting his throat in the background of some dispute with the informant.

It has been submitted on behalf of the petitioners that the petitioners are innocent and have been falsely implicated in this case. The allegations are general and omnibus against the petitioners and other co-accused persons. There is no eye witness to the alleged occurrence and the informant is also not an eye witness. Though the informant has attributed some



motive to the petitioner Suman Singh, but the independent witnesses examined during investigation have not supported the case of the informant as made out in the FIR. These witnesses have stated about illicit relationship between the wife of co-accused Sunil Singh and the informant's deceased son and these witnesses have also stated that the co-accused Sunil Singh boasted about killing his nephew, the deceased son of the informant. It has further been submitted on behalf of the petitioners that it is a case of circumstantial evidence and the chain of circumstances is not complete and there could not be any inference that the petitioners were involved in the killing of the son of the informant. The whole case against the petitioners is based on suspicion and nothing of substance has come up showing their involvement in the alleged occurrence. The petitioner Karu Singh is in custody since 03.11.2021, the petitioner Puspendra @ Sintu is in custody since 01.11.2021 and the petitioner Suman Singh is in custody since 11.08.2021. The charge sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioners and the other co-accused persons killed the son of the informant by slitting his throat. The petitioners Puspendra @ Sintu and Suman Singh are having criminal



antecedents.

Perused the records.

Having regard to the facts and circumstances and submissions made hereinabove and considering the statement of witnesses recorded during investigation attributing act of killing of son of the informant to the co-accused and further considering the lack of cogent material against the petitioners to connect them with the offence as alleged and also considering the period of custody of the petitioners and submission of charge sheet, the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Munger/court concerned, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioners namely, Puspendra @ Sintu and Suman Singh will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be the close relative of the petitioners.
- (iii) The petitioners will remain present on



each and every date fixed by the court
below.

(iv) In case of absence on three consecutive
dates or in violation of the terms of the bail,
the bail bond of the petitioners will be liable
to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

U		T	
---	--	---	--

