

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30069 of 2021**

Arising Out of PS. Case No.-59 Year-2020 Thana- BELDOUR District- Khagaria

GANPAT SINGH @ GANPAT KUMAR Son of Ramji Singh Resident of  
Village- Telihar, Police Station- Beldour, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate.

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      29-01-2022                      Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two  
weeks of the complete start of the physical Court in normal  
course.

The petitioner, who is in custody since 11.01.2021,  
seeks regular bail in connection with Beldour P.S. Case No. 59  
of 2020 for the offence punishable under Sections 302/201/34 of  
the Indian Penal Code.

The prosecution case in brief is that the deceased was  
married to the brother of the petitioner 10 years ago. On  
21.03.2020 at about 12 noon, informant received information  
regarding death of his sister Sajan Kumari (deceased). It has



been alleged that all the accused persons including the petitioner have jointly killed the sister of the informant and disappeared her dead body. It has further been alleged in the FIR that the two minor children aged about 8 years and 6 years of the deceased have also confirmed about the death of her mother and carrying her dead body by Bolero vehicle to dispose it of by all the accused persons.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that there is no independent witness who has supported the alleged murder of the sister of the informant. Petitioner is separate from his brother in mess by all metes and bounds. The alleged murder took place on 21.03.2020, however F.I.R. was lodged on 22.03.2020 in a pre-planned manner. The allegation is not based on any evidence rather the petitioner being the member of the family under obligation had taken the dead body of his sister-in-law who died a natural death and was having two children who have not been examined and the allegation has been fabricated on the basis of imaginary story. The informant who is the brother of the deceased, in his further statement in Paragraph No.2 of the case diary, has stated that he could know the



involvement of the present petitioner from the two children of the deceased. Such story cannot be relied upon. He further submits that one co-accused namely Ramji Singh who is the father-in-law of the deceased has already been released on bail by this Court vide order dated 26.11.2021 passed in 25640 of 2021. Hence the petitioner be released on bail.

Learned APP for the State has opposed the prayer for grant of bail to the petitioner and she has stated that this is not a case that the victim has died within seven years of her marriage. She was having two children who have narrated the story before their maternal grand father as well as maternal grand-mother that all the accused persons have assaulted their mother, in course of which she has died. Learned APP however submits that there is general allegation against all the accused persons named in the F.I.R. and no direct assault is attributable to the present petitioner. She has drawn attention of this Court to Paragraph Nos. 25, 26, 41, 42 and 43 of the case diary, the statement of the witnesses under Section 161 Cr.P.C., from which it appears that all the independent witnesses have supported the story of alleged murder of the sister of the informant. They are not the eye witnesses, however they have submitted that the other accused persons named in the F.I.R.



used to harass the victim and there were quarrel between the victim and her husband who used to demand dowry.

Considering the aforementioned facts and circumstances of the case, there is no material on record that the petitioner has demanded dowry or has assaulted the victim and there is no connecting event to establish the charges levelled against the petitioner and one co-accused Ram Ji Singh who is the father-in-law of the victim has already been released on bail vide order dated 26.11.2021 passed in Cr. Misc. No. 25640 of 2021, some evidence has been collected that the petitioner was having separate mess by all metes and bounds from his brother, but without expressing any opinion on merit, this Court is of the opinion that the petitioner above named be released on bail on certain conditions, it is, therefore, directed that the petitioner above named be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Khagaria in connection with Beldour P.S. Case No. 59 of 2020, G.R. No. 887 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

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