

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24038 of 2022**

Arising Out of PS. Case No.-64 Year-2021 Thana- WARISNAGAR District- Samastipur

Thakur Vikram Singh @ Mithu Singh Son Of Late Thakur Uday Shankar
Singh @ Uday Shankar Singh, Resident of Village - Pitaujhiya (karpurigram),
P.S.- Samastipur Muffasil, District – Samastipur Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

7 14-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No.370 of 2021 arising out of Warisnagar P.S.
Case No. 64 of 2021 lodged under Sections 302 and 201/34 of
the I.P.C.

As per prosecution, the case has been filed against
two named accused persons and two unnamed accused persons
including the present petitioner. It has been categorically stated
by the informant that on 14.03.2021 at 10.00 am informant was
present at her house along with her husband and son, in the
meantime the cousin i.e. present petitioner along with others
visited to her house and called her husband for talk relating to
compromise in case. Informant submits that her husband went
with them but in the evening he did not return, thereafter she

started searching him and in the next morning she got knowledge that the dead body of her husband is present in Mohiuddinpur. Upon visit at the place, she found that her husband was killed by strangulation in his neck and thrown the dead body. It has also been alleged that the said accused persons have attempted to murder upon her husband earlier also.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that there is admittedly land dispute between the informant's husband and the petitioner. It has also been submitted that they are agnates and admittedly dispute of property in the family is going on. Counsel further submits that petitioner is in custody since 21.08.2021. He further submits that there is three criminal cases pending against this petitioner in which he is on bail and charge sheet has already been submitted in this case.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that the conduct of the petitioner is not clean. Initially he has filed this case showing one criminal antecedent but when the informant opposed it, he

filed supplementary affidavit showing three criminal antecedents. Learned counsel for the informant put emphasis that Samastipur Muffasil P.S. Case No. 357 of 2017 is under section 302 of I.P.C. for murder of his uncle. He further submits that Samastipur P.S. Case No. 393 of 2017 is under section 307 of I.P.C. and other sections for attempt to murder to the informant of this case and subsequently Kalayanpur P.S. Case No. 347 of 2019 was filed for murder of informant of Samastipur (Muffasil) P.S. Case No. 393 of 2017. He further submits that the informant and her family have left the village due to the fear of petitioner. He further submits that if bail shall be granted to the petitioner, he shall murder the informant also because the conduct of the petitioner is showing so.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Accordingly, the bail petition of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

ravishankar/-

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