

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32545 of 2021**

Arising Out of PS. Case No.-20 Year-1998 Thana- KATHAIYA District- Muzaffarpur

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MOHAN SINGH @ INDRAJEET SINGH Son of Raghunath Singh Resident
of Village - Jamalpur, P.S.- Kathaiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

8 09-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Kathaiya
P.S. Case No. 20 of 1998 instituted for the offences under
Sections 302, 201, 498(A) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 07.12.2020, charge-sheet has been
submitted in the case and has antecedent of two cases.

Learned counsel for the petitioner submits that the
informant alleges that he received information that his co-
villager Devendra Singh along with his mother and sister
brutally assaulted his wife leading to death. Further, it is alleged
that with the help of the named accused persons, including the
petitioner, they disposed of the dead body of the deceased.



Learned counsel for the petitioner submits that the informant is a *Chowkidar* and the case has not been registered by any of the relatives of the deceased. It is further submitted that the petitioner is a Panchayat Sevak and was posted in a different village and being relative of the husband of the deceased, he participated in the cremation. Learned counsel further submits that allegation is not of assault but the allegation against this petitioner hinges around Section 201 of the I.P.C. which isailable.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case, there is no allegation in the F.I.R. that the petitioner in any manner participated in the occurrence of assault and taking into consideration the submissions of the learned counsel for the petitioner, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Muzaffarpur (West) in connection with Kathaiya P.S. Case No. 20 of 1998 with a condition that one of the bailors shall be the son of the petitioner, namely, Praveen



Kumar Singh and if the petitioner on two consecutive dates does not appear in the trial, the learned court below shall forthwith cancel his bail bonds.

(Satyavrat Verma, J)

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