

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29747 of 2022

Arising Out of PS. Case No.-18 Year-2020 Thana- HARINMAR District- Munger

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Dinesh Kumar Singh son of late raghunath singh resident of village -
laxmipur, tehsildar tola, p.s. - Harinmar, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narsingh Tanti, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201, 34 of the Indian
Penal Code.

According to prosecution case, on 06.08.2020 at about
06:30 pm her son Manu Singh @ Manta Singh went out from
the house while talking with Naresh Paswan from his Mobile
No. 7303425280 and Dinesh Kr. Singh (Petitioner) was also
with him and some unknown persons were also with them but
she would not identify them. Her son Mantu Singh @ Manta
Singh has not returned to home till whole night then we began



to search him but he was not found. At 03:00 pm, it is informed that the dead body of her son was hidden in the field of Dinesh Singh (petitioner) and she along with her family reached at the field of Dinesh Singh and saw that the dead body of her son has been hidden in the earth and sharp-cut heavy wound at left side of his head was existed and mobile was not near him. She claimed that by hatching a conspiracy by Naresh Paswan 2. Dinesh Kumar Singh and other unknown accused persons phoned her son and murdered her son.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the informant is not the eye witness of the alleged occurrence and on the basis of suspicion the petitioner has falsely been implicated in the present case. He further submits that the dead body of the deceased was recovered from the open field of the petitioner so suspicion raised against the petitioner that the petitioner has murdered the deceased. He further submits that no incriminating article or arms have been recovered from the house or from the possession of the petitioner and during investigation no cogent material has come against the petitioner. He further submits that several witnesses in para 73 and 74 of



the case diary have categorically stated that the other co-accused persons have committed murdered of the deceased. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 13.06.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sessions Case No. 225 of 2021 arising out of Harinmar P.S. Case No. 18 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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