

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39670 of 2022

Arising Out of PS. Case No.-112 Year-2019 Thana- SINGHWARA District- Darbhanga

VARUN ROY S/o Murli Roy R/o village- Uchaith Asthan, P.S.- Benipatti,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv. Mr. Pushpendra Kumar Singh, Adv. Ms. Divya Bharti, Adv.
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-08-2022 Heard learned senior counsel appearing on behalf of
the petitioner and learned counsel appearing on behalf of the
State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Singhwara P.S. Case No. 112 of 2019 registered for the offence
under Sections 302, 201 and 34 of the I.P.C.

The accused/petitioner is named in the F.I.R. and is in
custody since 17.03.2022.

The allegation against the petitioner is to commit
murder of son of the informant along with other co-accused
persons.



Learned senior counsel appearing on behalf of the petitioner submitted that the petitioner has falsely been implicated in the present case. It is submitted that the informant is not the eye-witness of the incident and on the ground of suspicion the present case has been lodged. It is also submitted that if the version of the F.I.R. is to be accepted as true, the maximum allegation is appearing as of “last seen”. It has further been submitted that similarly situated co-accused person has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 44464 of 2022 order dated 21.03.2022. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that the informant is not the eye-witness of the occurrence.

Considering the facts and circumstances as mentioned above, as maximum allegation is appearing as of “last seen”, where informant is not the eye-witness of the occurrence coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in



connection with Singhwara P.S. Case No. 112 of 2019 on
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with
two sureties of the like amount each to the satisfaction of Sri D.
Patanjali, the learned Judicial Magistrate-1st Class,
Darbhanga/concerned court, subject to the conditions as
mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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