

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51303 of 2021**

Arising Out of PS. Case No.-156 Year-2021 Thana- SHAHKUND District- Bhagalpur

Niranjan Singh @ Niranjan Mandal Son Of Deep Narain Singh @ Deep
Narain Mandal R/O Village- Maheshlatti, P.S.- Sajour, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 31-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

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

The prosecution case, in short, is that the informant has alleged that his son on 24.05.2021 went to village for eating Bhoj, but till night he did not return after which the informant searched him and on 28.05.2021, one skeleton of one child was found. It was further stated that after seeing the trouser and hair, the said skeleton was identified of his son. It was alleged that



three months before there was some fight/dispute with Niranjana Singh in connection with child and Niranjana Singh has threatened the informant and the informant is having suspicion that Niranjana Singh and his brother-in-law killed his son and threw his body.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the FIR that the date of occurrence as alleged in the FIR is 24.05.2021 and the present FIR was instituted on 29.05.2021 after delay of five days without any explanation. He further submits that there is no eye witness of the alleged occurrence and no incriminating article has been recovered from possession of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 08.06.2021.

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

Considering the facts and circumstances of the case, 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 learned court below



where the case is pending in connection with Shahkund (Sajour)
P.S.Case No.156 of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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