

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54988 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- SINGHIYA District- Samastipur

1. SUMAN KUMAR SINGH S/o SRI TRIBHUVAN SINGH R/o VILLAGE-LAGMA, P.S-SINGHIYA, DISTRICT-SAMASTIPUR, BIHAR.
2. ROSHAN KUMAR SINGH @ RAUSHAN SINGH S/o SRI ARTI PRASAD SINGH R/o VILLAGE-LAGMA, P.S-SINGHIYA, DISTRICT-SAMASTIPUR, BIHAR.
3. DEEPAK KUMAR SINGH S/o SRI ARTI PRASAD SINGH R/o VILLAGE-LAGMA, P.S-SINGHIYA, DISTRICT-SAMASTIPUR, BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-05-2022 Heard Mr. Krishna Chandra, learned counsel for the petitioners and Mr. Sanjay Kumar Sharma, Additional Public Prosecutor for the State.

Petitioners seek regular bail in connection with Sessions Trial No. 146/2021 arising out of Singhiya PS Case No. 12/2021 registered for the offence punishable under Section 302/34 of the IPC.

As per First Information Report, the informant has alleged that while her brother-in-law was sleeping, some unknown miscreants entered into his room and slit his throat due to which, he died.



Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have been falsely implicated in this case on the basis of confessional statement of the co-accused, Rajiv Kumar Singh who has been arrested by the police by dint of dog squad and CDR and from his possession the weapon of crime, blood stained jacket and other materials have been recovered. He next submits that the petitioners are the FIR witnesses which would be evident from the FIR itself. Next submission is that the police after investigation submitted charge-sheet exonerating two of the accused persons, namely, Prashant Kumar Singh and Vicky Kumar Singh whose name was also disclosed by the co-accused, Rajive Kumar Singh in his confessional statement. Leaned Magistrate on the basis of final form exonerating the aforesaid two accused persons issued notice to the informant and in pursuance thereof, the informant has submitted her petition before the learned Magistrate stating therein that the petitioners are innocent and they have been implicated by the co-accused, Rajiv Kumar Singh who has killed her brother-in-law having suspicion that the deceased was having extra-marital affair with the wife of co-accused, Rajiv Kumar Singh.

Learned counsel submits that the petitioners are in



custody since 30.01.2021 and the charge-sheet has already been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioners have been made accused on the basis of confessional statement of a co-accused, all the three petitioners are related to the informant's family, petitioners are in custody since 30.01.2021 and the charge-sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Rosera in connection with Sessions Trial No. 146/2021 arising out of Singhiya PS Case No. 12/2021.

(Anil Kumar Sinha, J)

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