

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56601 of 2021

Arising Out of PS. Case No.-182 Year-2021 Thana- BARBIGHA District- Sheikhpura

Sanjeev Kumar Son Of Satish Kumar Singh Resident Of Village - Pyarepur,
P.S.- Sarmera, Distt.- Nalanda.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma- Sr. Advocate Dr. Anjani Pd. Singh
For the State	:	Mr. Anand Mohan Prasad Mehta
For the Informant	:	Mr. Md. Irshad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-03-2022 Heard learned senior counsel for the petitioner,

learned counsel for the informant and learned APP for the State.

The petitioner seeks bail in connection with Barbigha
(Keoti) P. S. Case No.182 of 2021, instituted for the offences
under Sections 302, 201/ 34 of the Indian Penal Code.

The learned senior counsel for the petitioner submits
that the petitioner is in custody since 26.07.2021, he is a person
with clean antecedent and charge-sheet has been submitted in
the case.

The learned senior counsel for the petitioner submits
that the informant alleges that his son Rahul Kumar on
26.02.2021, after informing his mother went to Bhaiya Ji Line
Hotel. Further the dead body of his son was found on next day.



Thus alleges that his son was killed by unknown criminals.

The learned senior counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the F.I.R. was against unknown. The informant had not even raised any suspicion against the present petitioner. It is further submitted that the informant after eight days of the occurrence had given an application to the police on 28.06.2021 alleging that the petitioner might have killed his son based on suspicion on the ground that petitioner and informant had their shops on opposite side and the motorcycle of the petitioner was parked in front of the shop of the informant which was stolen, as such, the petitioner was harboring grudge that the informant's son might have committed the theft of the motorcycle. The learned senior counsel thus submits that even the allegation as alleged by the informant subsequently after eight days of the occurrence is also based on suspicion, there is no eye witness to the occurrence.

The learned counsel for the informant as well as learned A.P.P. for the State opposes the bail application, who are not able to meet the submission of the learned senior counsel for the petitioner that there is no eye witness to the occurrence and after eight days of the occurrence, the informant, for the first



time, raised suspicion against the present petitioner.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and his name transpired in the case after eight days of the occurrence by the informant based on suspicion, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheikhpura in connection with Barbigha (Keoti O.P.) P. S. Case No.182 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

