

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6045 of 2021

Arising Out of PS. Case No.-186 Year-2019 Thana- GORIAKOTHI District- Siwan

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KUMAR PRADEEP SINGH @ PRADEEP KUMAR SINGH @ PRADEEP SINGH, SON OF DINANATH SINGH VILLAGE BHANGAUTA, P.S. GOREYAKOTHI, DISTRICT- SIWAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 19-01-2022 Heard Mr. Prashant Kumar, learned counsel for the

petitioner and Mr. Uday Pratap Singh, learned APP for the

State.

The petitioner seeks bail in anticipation of his arrest in connection with Goreyakothi P. S. Case No. 186 of 2019, instituted for the offences under Sections 302 and 34 of the Indian Penal Code.

According to the F.I.R., the petitioner had accompanied Banaras Singh and Dinanath Singh, who are alleged to have killed the wife (deceased) of the informant. Banaras Singh and Dinanath Singh, both, are said to have pushed and kicked the deceased when she had fallen down.



It was submitted on behalf of the petitioner on earlier occasion that no specific overt act has been attributed against the petitioner. According to the post-mortem report, the death was because of cardio-respiratory failure which in turn had taken place because of shock as a result of intracranial haemorrhage, probably because of some existing disease.

It was thus submitted on behalf of the petitioner that the natural death of the deceased was used by the informant to implicate the petitioner and others in this case because of a land dispute between them.

This Court had, on 02.11.2021, called for the case-diary and had granted provisional bail to the petitioner.

The case-diary has since been received.

The learned counsel for the petitioner has pointed out that the source of information to the informant was his daughter-in-law namely, Sunaina Devi. Her statement has not been recorded during the police investigation.

Apart from this, it has been submitted that most of the witnesses have testified to the fact that the deceased



was suffering from cardio-vascular disease and had died a death accelerated by the illness.

Considering the afore-noted findings during the police investigation, the provisional bail granted to the petitioner is hereby confirmed.

The petitioner shall remain on the same bail bonds.

The application stands allowed accordingly.

(Ashutosh Kumar, J)

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