

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58591 of 2021**

Arising Out of PS. Case No.-81 Year-2021 Thana- DINARA District- Rohtas
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JAIPATI SINGH Son of Late Brij Bihari Singh Resident of Village - Arang
P.S.- Dinara (O.P.), Bhanas, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 59104 of 2021

Arising Out of PS. Case No.-81 Year-2021 Thana- DINARA District- Rohtas
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RAVI MAHTO @ RAVIKANT SINGH S/o Kashi Mahto @ Kashinath Singh @
Kashi Singh Mahto Resident of Village - Arang, P.S. - Dinara (O.P. Bhanas),
District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 61212 of 2021

Arising Out of PS. Case No.-81 Year-2021 Thana- DINARA District- Rohtas
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MOD NARAYAN SINGH Son of Janki Singh Resident of Village- Arang, P.S.-
Dinara (Bhanas), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 58591 of 2021)

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate
Mr. Mithilesh Kr. Singh, Advocate

For the State : Mrs. Nirmala Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 59104 of 2021)

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the State : Mr. Anil Kumar, APP



For the Informant : Mr. Jai Prakash Singh, Advocate
(In CRIMINAL MISCELLANEOUS No. 61212 of 2021)
For the Petitioner/s : Mr. Syed Qaisar Hasan, Advocate
For the State : Mr. Anil Kumar, APP
For the Informant : Mrs. Arti Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-04-2022 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 petitioners, learned counsel for the informant as well as learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302, 429, 201, 147, 148, 149 of the Indian Penal Code.

As per allegation in the F.I.R., it has been alleged by the informant Kamta Singh that on 13.05.2021 at 8:00 A.M. he along with his nephew went with his 41 cows, six calves and one bull for grazing at Arung Siman and returned with 37 cows and four calves and his nephew Tunna Singh also did not return home. On 14.05.2021 the informant along with villagers started searching then saw the accused persons were throwing his dead animals in the tomato field. On that day, after ample searching with police the dead body of the informant's nephew Tunna Singh was found covered with straw in a Karha situated at village- Jalwaiya. It has been further alleged by the informant that the accused persons jointly killed his nephew Tunna Singh and with intent to



disappear the evidence, concealed his dead body in Karha.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case only on the basis of suspicion. He further submits that as per F.I.R. 12 named accused persons including the petitioners have assaulted the nephew of the informant namely Tunna Singh but there is no eye witness to the alleged occurrence. He further submits that during investigation nothing has come against the petitioners and police after investigation submitted chargesheet and the petitioner namely Jaipati Singh is in custody since 26.06.2021 as well as petitioners namely Ravi Mahto @ Ravikant Singh and Mod Narayan Singh are in custody since 15.05.2021 respectively .

Learned counsel for the informant as well as learned APP for the State vehemently opposed the prayer for bail of the petitioners. Learned counsel for the informant submits that the petitioners are named in the F.I.R. and there is direct allegation against the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Dinara (Bhanas) P.S. Case No. 81 of 2021, with the following conditions :-



(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedentss, the court below shall take step for cancellation of bail bond of the petitioners. 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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