

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.65981 of 2021**

Arising Out of PS. Case No.-347 Year-2019 Thana- KALYANPUR District- Samastipur

Thakur Bikram Singh @ Mithu Singh Son of Late Uday Shankar Singh  
Resident of Village - Karporigram, Pitaujhiya, P.S.- Muffasil Samastipur,  
District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA  
ORAL ORDER**

3      28-06-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office  
be removed within four weeks from today.

In the present case, the petitioner seeks bail in  
connection with Kalyanpur P.S. Case No. 347 of 2019 registered  
for the alleged offences under Sections 302, 201 and 34 of the  
Indian Penal Code.

Allegedly the petitioner and other co-accused persons  
murdered the nephew of the informant due to old enmity.

The learned counsel for the petitioner submits that  
F.I.R. has been lodged after delay of a day and except for  
suspicion there is nothing to connect the petitioner with the



alleged occurrence. There is no eye witness who might has seen the petitioner in the company of the deceased. Even no tower location has been obtained by the Investigating Agency to show that the petitioner was present at spot during the relevant time. The case against the petitioner is based on circumstantial evidence but the chain is not complete and except for the facts stated in the F.I.R. nothing has come against the petitioner during whole investigation. The petitioner is in custody since 19.06.2021.

Learned A.P.P. for the State has opposed the contention made on behalf of the petitioner. Learned A.P.P. submits that the deceased was called by the petitioner and he was killed thereafter. The informant has specifically named the petitioner in the F.I.R.

Having regard to the submissions made hereinabove and considering the absence of cogent material to connect the petitioner with the death of nephew of the informant and period of custody, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 347 of 2019, subject



to the following conditions :

(i) The bail bond of the petitioner shall be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

ved/-

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