

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12216 of 2023

Arising Out of PS. Case No.-454 Year-2022 Thana- FATEHPUR District- Gaya

1. Hemant Kumar Singh S/O Devdutt Singh R/O Village- Lodhway, P.S.- Fatehpur, Distt- Gaya.
2. Rakesh Singh S/O Kailash Singh R/O Village- Lodhway, P.S.- Fatehpur, Distt- Gaya.
3. Amrendra Singh @Tinku Kumar Singh S/O Arvind Singh @ Arvind Prasad R/O Village- Lodhway, P.S.- Fatehpur, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 354(b), 302, 306, 201 and 34 of the Indian Penal Code.

As per FIR, while the informant was on patrolling, he heard alarm being raised by a woman that a thief has entered her house whereupon the police found a boy (Pintu Kumar) and girl (Chulbul Kumari) in one of the rooms of the woman's house. It is stated that the apprehended boy disclosed that he has love affair with the woman's daughter. It is further stated by the informant that at about 5.10 AM he was told by S.H.O. that



Sunita Devi from whose house boy was apprehended has killed her daughter with the help of co-villagers and is burning the dead-body outside village. The informant further stated that when he reached, he found a boy weeping near a burnt dead body who disclosed that he is son of Chulbul Kumari who had committed suicide.

Learned counsel for the petitioners submits that the petitioners are innocent, not named in the FIR and have been falsely implicated in this case. He submits that there is no eye witness to the said occurrence and only on suspicion, petitioners have been made accused in this case. He submits that the brother of the deceased himself stated before the police that the deceased has committed suicide. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the petitioners are involved in the present case.

Considering the facts and circumstances of the case and the fact that no material evidence has come up in the case diary against the petitioner no. 3, let the above named petitioner no. 3 in the event of his arrest or surrender before the



learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Fatehpur P.S. Case No. 454 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as petitioner nos. 1 and 2 are concerned, there is ample evidence against them in the case diary, I am not inclined to enlarge the petitioner nos. 1 and 2 on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

devendra/-

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

