

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30585 of 2023

Arising Out of PS. Case No.-328 Year-2021 Thana- KHARHAGPUR District- Munger

RAJESH KUMAR SINGH @ KARU SINGH SON OF LATE LAKHANLAL
SINGH R/O-CHORGAWN PURSHOTTAMPUR, P.S.-ASRGANJ, DISTT.-
MUNGER

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 22-08-2023 Heard learned counsel for the petitioner, Informant
and learned APP for the State.

The petitioner is in judicial custody in connection
with Session Case No. 198 of 2022 arising out of Kharagpur
P.S. Case No. 328 of 2021 registered under Sections 302/34 and
120B of the Indian Penal Code lodged on 06.10.2021 by the
informant, Ravindra Kumar Singh.

As per the prosecution story, the lady has alleged that
she was blessed with two sons and three daughters, the
deceased, Viswajeet Dipankar @ Bidi being the youngest. On
the fateful day, around 4:00 o' Clock in the morning heard one
of the daughter crying and rushed to the place and found his son
laying dead with pull of blood. She had strong suspicion that the



petitioner who was earlier her tenant had taken Rs. Five lakhs for arranging a job and repay only three lakhs and for the rest of the amount, when demanded had beaten and threaten to kill, as such, the FIR against him

Learned counsel for the petitioner submits that only on suspicion, he has been dragged in the case and though the trial has started, he is ready to appear on each and every date diligently but for the present he being in custody for almost two years, may be granted bail.

Learned APP for the State and the informant oppose the prayer for bail stating that the trial is about concluding stage and witnesses are being examined.

Considering the fact that he is in custody since 09.10.2021, there is no eye witness to the occurrence, he do not have criminal antecedent and is ready to appear on each every date/cooperate in the trial. this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge III, Munger in connection with Sessions Case No. 198 of 2022 (Kharagpur P.S. Case No. 328 of



2021), subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do even for a single day without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the trial to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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