

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52439 of 2022

Arising Out of PS. Case No.-353 Year-2021 Thana- GHORASAHAN District- East
Champaran

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LAV SINGH @ LAV KUMAR SINGH Son of Surendra Singh Resident of
Village - Barka Bakuliya, Police Station - Ghorasahan, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Rajeev Nayan App. 231

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 15-03-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Ghorasahan P.S. Case No. 353 of 2021, registered for the
offences punishable under Sections 302, 120 (B)/34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per allegation, two brothers of the informant
were murdered in Nepal by *Maowadis*. Due to fear, the deceased
migrated to West Champaran and was residing there. He was



engaged in the business of land brokage and there was some enmity between the deceased and the accused persons Ranju Devi, Hari Kishore Singh, Himanshu Singh and also with the petitioner for transaction of money. The deceased himself had apprised this fact to the informant and family members. When the informant got the information of murder of his brother, he came to Motihari and identified his dead body. He learned that the accused persons named in the FIR including the petitioner was involved in murder of the deceased.

The learned counsel for the petitioner has submitted that at the time of occurrence, the informant was not present in Motihari. He was present in Nepal. He got information through whatsapp message. The name of the petitioner figured in confessional statement of co-accused Neeraj Kumar, who has been granted bail by the co-ordinate Bench of this Court.

On the other hand, the learned APP, Sri Shailendra Kumar has submitted that the witnesses in paragraph nos. 5 to 8 and 10 of the case diary have named the petitioner. He also drew attention towards confessional statement of co-accused Neeraj Kumar mentioned in paragraph no. 9 of the case diary in which he has stated that the deceased had kidnapped the sister



of the petitioner and the petitioner, in retaliation, made plan to eliminate the deceased. He procured two country made pistol and 12 cartridges.

It appears that the witnesses have named the present petitioner. The investigation is going on.

As such, I am not inclined to release the petitioner on bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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