

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53227 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- TANDWA District- Aurangabad

SHAIENDRA SINGH @ SHAIENDRA KUMAR SINGH son of Late
Ramdeo Singh Village- Barouli Ps- Hussainabad Dist- Palamu

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

For the Informant : Ms. Mukul Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
28.05.2023, in connection with Tandwa P.S. Case No. 52 of
2023, F.I.R. dated 28.04.2023 for the offences punishable under
Sections 302 of the Indian Penal Code.

3. According to prosecution case, the informant has
alleged that his brother Rahul Kumar Singh (deceased) on
27.04.2023 left his house and did not come back and later he
was informed that his brother's dead body was recovered by the
police.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR, and there is no eye-witness of the occurrence and merely on the basis of suspicion and the dead body was found from the land in question of which the petitioner is the owner. Learned counsel for the petitioner further submits that the cause of death is due to electrocution. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 28.05.2023.

5. The learned Additional Public Prosecutor for the State as well as learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner on the ground that the dead body of the deceased was recovered from the land of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Tandwa P.S. Case No. 52 of 2023, subject to the following conditions:-

1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

Adnan/-

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