

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59021 of 2022**

Arising Out of PS. Case No.-394 Year-2022 Thana- RUPASPUR District- Patna

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ABHINAV NARAYAN SINGH Son of Dr. Jitendra Kumar Singh Resident of village - Sewati, P.S.- Dhanarua, Dist.- Patna, At present Aparna Residency, Block B, Flat No.- 502, West of IAS Colony, Ramjaipal Road, Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. N.K. Agrawal, Sr. Advocate   |
|                          | : | Dr. Jitendra Kr. Singh, Advocate |
| For the Opposite Party/s | : | Mr.Dilip Kumar No. 1, APP        |

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      07-02-2023                      Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Rupaspur PS case no. 394 of 2022 instituted for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code.

The allegation is regarding unknown person having killed the husband of the informant while all the family members and the deceased were sleeping in their house.

The learned Senior counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 07.07.2022. The learned Senior counsel for the petitioner has further submitted that the only



evidence which has come to the fore during the course of investigating is the confessional statement made by the son of the informant i.e. the son of the deceased namely Shashank Shahil, wherein he has stated that his deceased father was having illicit relationship and used to torture her mother, on account of which, he was having emotional grouse against his father, hence he had obtained a pistol from the petitioner and killed his father. It is thus submitted that at best, the petitioner can be stated to be the supplier of pistol to the son of the informant, however, he was not knowing the intent of the informant. Nonetheless, it is submitted that the said confessional statement has got no evidentiary value in the eyes of law.

*Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary, this Court finds that there is minuscule evidence on record so as to connect the petitioner with the alleged crime and at best the son of the deceased can be said to be the perpetrator of crime, hence, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to



be released on regular bail on furnishing bail bond of Rs. 10,000/-  
(Rs. Ten thousand) with two sureties of the like amount each to the  
satisfaction of learned court of Additional Chief Judicial  
Magistrate 1, Danapur in connection with Rupaspur PS case no.  
394 of 2022.

**(Mohit Kumar Shah, J)**

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