

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23752 of 2024

Arising Out of PS. Case No.-218 Year-2023 Thana- NAVINAGAR District- Aurangabad

Deepak Kumar Singh S/o Upendra Singh R/o Village- Duaari, P.S.- Tandwa,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Senior Advocate
Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 26-07-2024 Heard learned Senior Counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Nabinagar P.S. Case No. 218 of 2023 registered for the offence under Section 302, 364, 34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, the dead body of the deceased was found in the house of one Manorma Devi.

4. Manorma Devi in her statement before the police under Section 161 of the Cr. P.C. and also before the Magistrate under Section 164 Cr. P.C. has named the petitioner as the assailant of the deceased.

5. Learned Senior Counsel for the petitioner submits



that the petitioner is the nephew of Manorma Devi and Manorma Devi had called her paramour to her Sasural and when she was seen in a compromising position by the petitioner and the Dhananjay Singh, the allegation is that the petitioner shot him and killed him. He further submits that this is because of grave and sudden provocation as the petitioner saw his *Mausi* in a compromising position with her paramour, he could not control himself therefore, he is said to have killed the deceased. The petitioner is in jail since 07.10.2023.

6. This argument has been made without accepting the guilt on behalf of the petitioner.

7 . Considering the above and considering the custody of the petitioner and also considering the fact that co-accused Dhananjay Singh has been granted bail by this Court vide order dated 12.03.2024 passed in Cr. Misc. No. 14994 of 2024, this application is allowed.

8. Let the petitioner, above named, be released on bail after framing of charge if the charge has not yet been framed on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Aurangabad in connection with Nabinagar P.S. Case No. 218 of 2023.



9. The observations in this order are only for the
purposes of bail.

(Sandeep Kumar, J)

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