

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37142 of 2023**

Arising Out of PS. Case No.-50 Year-2023 Thana- BEERPUR District- Begusarai

Amrdeep Singh @ Kari Singh Son of Late Hardeo Singh Resident of Village -  
Jagdar, P.S. - Birpur, Distt. - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                           |
|--------------------------|---|-----------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Y.C. Verma, Sr. Adv.<br>Mr. Braj Bhushan Poddar, Adv. |
| For the Opposite Party/s | : | Mr. Umeshanand Pandit, APP                                |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

**ORAL ORDER**

10    02-04-2024                      Heard Mr. Y.C. Verma, learned senior Advocate  
appearing on behalf of the petitioner and Mr. Umeshanand  
Pandit, learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Birpur  
P.S. Case No. 50 of 2023 instituted for the offences under  
Sections 302, 376/34 of the Indian Penal Code and Section 4/8  
of the POCSO Act.

3. The prosecution case, in short, is that on 07.04.2023  
at 2.30 PM when the Informant returned back to her house after  
harvesting wheat plants, she saw that the dead body of her 12  
years daughter was hanging.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and there is no eye-witness to the occurrence. He further submits that the police has recorded the confessional statement of the accused in which he has admitted about the commission of the offence which has no meaning in the eye of law. It has further been submitted that the the date of occurrence is 07.04.2023 and the inquest report was also prepared on 07.04.2023 but, the F.I.R. was lodged on 08.04.2023 against the unknown persons. The postmortem report also does not support the prosecution version and there is no sign of sexual assault. He further points out that except confession and suspicion, nothing has come on record against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent in which he is on bail as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 19.04.2023.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. The police, after completion of investigation, has submitted charge-sheet against the petitioner under Section 302/354/504/506 of the Indian Penal Code, Section 3(1)(r)(s)



(w)/3(2-va) of the SC/ST Act and Section 8 of the POCSO Act.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner coupled with the fact that there is no direct or specific allegation against the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Birpur P.S. Case No. 50 of 2023, subject to the conditions that;

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

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