

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56686 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- DHARHARA District- Munger

Mukul Singh Son of Nilamber Singh R/V- Village- Mohanpur, P.S.- Dharahra,
Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 63204 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- DHARHARA District- Munger

Rajeev Ranjan Singh @ Bachchan Singh S/o- Late Shambhu Singh @
Shambhu Prasad Singh Village- Mohanpur PS-Dharhara Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 63718 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- DHARHARA District- Munger

Rahul Kumar @ Rahul Kumar Singh S/o- Sri Indradev Singh Village- Parora
PS-Sahebpur Kamal Distt-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56686 of 2024)
For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP
For the Informant : Mr. Raj Kishor Prasad, Advocate
(In CRIMINAL MISCELLANEOUS No. 63204 of 2024)
For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP
For the Informant : Mr. Raj Kishor Prasad, Advocate
(In CRIMINAL MISCELLANEOUS No. 63718 of 2024)
For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP
For the Informant : Mr. Raj Kishor Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA



ORAL ORDER

3 18-11-2024 Heard learned counsel for the petitioners, learned APP for the State, learned counsel for the informant and perused the case diary.

2. The petitioners seek bail in Dharhara P.S. Case No. 01 of 2024, instituted for the offences punishable under Sections 324, 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioners hatched a criminal conspiracy to kill the husband of the informant along with deceased Shailendra Kumar and fired on their head due to which both of them died.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating materials have been recovered from the conscious possession of the petitioners.

5. Learned counsel for the petitioner in Cr. Misc. No. 56686 of 2024 submits that there is no specific allegation attributed against the petitioner. Police has recorded the confessional statement of the petitioner and the same has got no evidentiary value. It is further submitted that no independent witness have supported the prosecution story. The petitioner is



languishing in judicial custody since 05.01.2024 and has got one criminal antecedent in which he is on bail.

6. Learned counsel for the petitioner in Cr. Misc. No. 63204 of 2024 submits that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused Mukul Singh and the same has got no evidentiary value. The petitioner is languishing in judicial custody since 05.01.2024 and has got two criminal antecedents in which he is on bail.

7. Learned counsel for the petitioner in Cr. Misc. No. 63718 of 2024 submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement of co-accused Mukul Singh and the same has got no evidentiary value. It is further submitted that the petitioner being the driver of co-accused Mukul Singh carried the husband of the informant along with Shailendra Singh to the railway station. The petitioner is in custody since 23.01.2024 and is a man of clean antecedent.

8. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners. Learned APP for the State also submits that from perusal of the case diary it appears that there is direct



allegation against the petitioner Mukul Singh (in Cr. Misc. No. 56686 of 2024) of murdering the deceased Ajit Kumar Yadav along with deceased Shailendra Kumar who died during treatment.

9. Learned APP for the State submits that the name of the petitioner Rajeev Ranjan Singh (in Cr. Misc. No. 63204 of 2024) has transpired at para-49 of the case diary. At para-62 and 86 of the case diary there are materials against the petitioner which shows involvement of petitioner in the alleged occurrence.

10. Learned APP further submits that the petitioner Rahul Kumar (in Cr. Misc. No. 63718 of 2024) is named in the FIR. Allegation against the petitioner is that he was involved in commission of death of deceased Ajit Yadav and Shailendra Kumar. At para-18, 19, 31, 32, 33, 49, 52, 62, 86 and 163 of the case diary there are materials against the petitioner which shows involvement of the petitioner in alleged occurrence.

11. It is lastly submitted by learned APP for the State that the petitioners are involved in the commission of crime and there is direct allegation against the petitioner. Hence, the petitioners do not deserve the privilege of bail.

12. Considering the aforesaid facts and circumstances



of the case, the nature of accusation against the petitioners and the gravity of the offence, this Court is not inclined to grant bail to the petitioners.

13. The prayer is rejected. The trial Court is directed to expedite the trial expeditiously.

(Rudra Prakash Mishra, J)

Rajorshi/-

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