

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74740 of 2024

Arising Out of PS. Case No.-838 Year-2022 Thana- SONEPUR District- Saran

Niraj Singh Son of Harendra Singh @ Madhusudan Singh Resident of
Village- Naya Tola Bharupura, P.S.- Sonpur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sonepur P.S. Case No. 838 of 2022 dated 02.11.2022 registered
for the offences punishable under Sections 302 and 201/34 of
the I.P.C.

3. As per the prosecution case, on 31.10.2022 at about
6.00 P.M., the co-accused Gulu Kumar, Gaurav Kumar along
with some unknown persons called and took away the
informant's son, namely, Prince Kumar, but he did not return
late night. It is further alleged that in course of inquiry and
search, on 01.11.2022 at about 7.00 A.M., it has come to the
knowledge of the informant that between Jahangirpur Railway



Dhala No. 2 and Jahangirpur Railway Dhala No. 3, there was a dead body lying near the railway track. The informant and others went there and found the dead body of the informant's son Prince Kumar having several injuries on his neck and head. It is further alleged that the motorcycle of the informant's son, namely, Prince Kumar, was found in the *orchard* in front of the house of the co-accused Golu Kumar with blood stained. Thereafter, the police came and the dead body of the informant's son was sent for post-mortem to Chapra. The informant has claimed that the aforesaid F.I.R. named accused persons in collusion with some unknown persons had killed his son and threw his dead body on the railway track for concealing the evidence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the occurrence took place on 31.10.2022 and the F.I.R. has been lodged on 02.11.2022. The petitioner is not named in the F.I.R. His name has surfaced in the present case during investigation that the mobile number of the petitioner was used by some one else on the basis of tower location. There is no eye witness to the alleged offence. The petitioner has one criminal antecedent as stated in paragraph no.



3 of the bail petition. He is in custody in this case since 23.01.2024. The co-accused has been granted regular bail by this Court vide order dated 29.08.2024 passed in Cr. Misc. No. 48644 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Sonapur P.S. Case No. 838 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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