

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77471 of 2023

Arising Out of PS. Case No.-71 Year-2022 Thana- BAGENGOLA District- Buxar

=====

AMIT SINGH @ AMIT KUMAR SINGH Son of Dinanath Singh Resident of
Village - Nuwaon, Police Station - Krishna Brahm, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with

CRIMINAL MISCELLANEOUS No. 83027 of 2023

Arising Out of PS. Case No.-71 Year-2022 Thana- BAGENGOLA District- Buxar

=====

NITISH SINGH @ NITISH KUMAR SINGH SON OF KANHAIYA SINGH
R/O VILLAGE- NUAON, P.S.- BRAHMPUR (KRISHNA BRAHM),
DISTRICT- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 77471 of 2023)

For the Petitioner/s : Mr. Krishna Prasad, Sr. Advocate
Mr. Sushil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP
(In CRIMINAL MISCELLANEOUS No. 83027 of 2023)

For the Petitioner/s : Mr. Krishna Prasad, Sr. Advocate
Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 07-03-2024 1. Heard learned Senior counsel for the petitioners

and learned APP for the State.
2. The petitioners have preferred this application for
grant of regular bail in connection with Bagengola P.S. Case no.
71 of 2022 registered under sections 302, 120B and 34 of the
Indian Penal Code.



3. As per the prosecution case, the informant states that his younger brother was taken away by one Ramesh Yadav over a dispute relating to return of the amount of loan to the tune of Rs. 1.5 Lakhs. It is further stated that on his younger brother not returning and on the informant making inquiries from the said Ramesh Yadav, he was informed that his brother had been sent with the two petitioners herein for treatment. Subsequently the dead body of the informant's brother was recovered.

4. Learned Senior counsel appearing for the petitioners submits that the petitioners have been falsely been implicated in the case. Even as per the contents of the F.I.R, the dispute if any relating to the loan amount was with Ramesh Yadav and not the petitioners herein. Their names have transpired in the statement of the co-accused Ramesh Yadav made before the informant. The said Ramesh Yadav has been enlarged on bail vide order dated 29.2.2024 passed in Cr. Misc. no. 66942 of 2023. It is further submitted that while the occurrence is alleged to have taken place on 13.7.2022, the dead body was recovered on 14.7.2022 and the postmortem examination conducted on 15.7.2022. The F.I.R was registered after an unexplained delay only on 25.7.2022. It is lastly



submitted that the order dated 29.2.2024 has been passed in Cr. Misc. no. 66942 of 2023 filed by the co-accused Ramesh Yadav directing him to be enlarged on bail after framing of charge.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the material that has transpired in course of investigation and the contents of the aforesaid order dated 29.2.2024 passed in Cr. Misc. no. 66942 of 2023, the Court is not inclined to enlarge the petitioners on bail for the present and the application is rejected.

7. Liberty is granted to the petitioners to renew the prayer for bail after framing of charge.

(Partha Sarthy, J)

Harsh/-

U		T	
---	--	---	--

