

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24454 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- Tetiyabumber District- Munger

1.

Dilip Singh @ Dilip Kumar S/O Late Genalal Singh R/O Vill.- Teghra, P.S.- Tarapur, Dist.- Munger.
2.

Sumit Kumar S/O Dilip Singh @ Dilip Kumar R/O Vill.- Teghra, P.S.- Tarapur, Dist.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Manoj Kumar, Advocate
	:	Mrs. Sweety Sinha, Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3

13-08-2025

Heard Mrs. Sweety Sinha, learned counsel for the petitioner and Mr. Bharat Bhushan, learned APP representing the State.

2. The petitioners are in custody in connection with Tetiya Bambar P.S. Case No. 80 of 2024 for the offence punishable under sections 137(2) and 140(3) of the B.N.S., lodged on 25.10.2024 by the informant, Arvind Singh.

3. As per the prosecution story, the informant alleged that on 21.10.2024, his son went out stating that he will return soon but never returned, later his mobile went switched of alleging the role of Nisha Devi wife of Rahul Singh and family members, the F.I.R. was lodged.



4. Subsequently, after investigation, it came to notice that Rohit was having affairs with the married lady, Nisha Kumari wife of Rahul Kumar. Additionally, she was having second affair with one Bittu Kumar on the date of occurrence as Rohit was called by the lady Nisha Kumari, the second lover Bittu raised alarm and alerted the in-laws. Rohit was caught, thrashed and as he tried to escape through the route, allegation is that Manoj Kumar @ Munna opened fire which hit his head, died instantly. Thereafter, the statement of the lady, Nisha Kumaris is done, all the accused persons which included these two petitioners made it sure that the mortal remains disappears.

5. Learned counsel for the petitioners submit that even going by the record, the role of thrashing is on the in-laws, Sushil Singh and others, alleged killing role is on Manoj Kumar @ Munna while these petitioners have been made accused on the ground that they ensure that mortal remains disappears. Both are father and son, remained in custody since 18.11.2024, have no criminal antecedent and if granted relief, shall be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that a young boy was thrashed and killed and the dead body was not even found by the family members so that the last rites can



be done.

7. It is unfortunate incident where a lady having two paramour resulted into the death of an innocent while one was there as on her own statement, the other raised alarm which led to the in-laws beating the deceased followed by killing by Manoj Kumar @ Munna, these petitioners have remained in custody since 18.11.2024, the role against them is of disappearance of the dead body after the killing took place, in that background, this Court is inclined to extend them the privilege of bail with conditions.

8. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-V, Munger, in connection with Tetiya Bambar P.S. Case No. 80 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;



(iii) the petitioners shall appear before the concerned police station every fortnight for six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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