

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31248 of 2025

Arising Out of PS. Case No.-110 Year-2019 Thana- RIVILGANJ District- Saran

Bare Singh, S/o Bachcha Singh, R/o Village- Neknamtola, P.S.- Barhara,
District- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-05-2025 Heard Mr. Tribhuwan Narayan, learned counsel for
the petitioner and Mr. Tapeswar Sharma, learned APP for the
State.

2. The petitioner has prayed for bail in connection
with Rivilganj P.S. Case No.110 of 2019 registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

3. The case of the prosecution is that the informant
along with his father, namely, Shankar Dayal @ Fauji was
harvesting crop on 13.04.2019 at 11 O' clock. In the meantime,
the petitioner along with other accused persons of this case
armed with *daab* and rifle reached there. All the accused
persons brutally assaulted the father of the informant by *daab* on
his face and neck and murdered. The incident has been done by



the accused persons to maintain superiority over in that area.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted that in this case two accused persons, namely, Ram Lal Singh and Birendra Rai have been granted bail by the trial court itself. The trial court has held that “there is general and omnibus allegation against accused petitioner that he murdered father of informant along with 9 other accused persons by *daab*. Statement of the informant has not been recorded under Section 161 of the Cr.P.C. during investigation. Prosecution witnesses mentioned at para 6, 7, 8, 28, 29, 30, 31 and 32 of the case diary have supported the case of the prosecution but they did not name the petitioner”. In Second order also, the trial court has held that “there is general and omnibus allegation against the accused petitioner”. From perusal of the impugned order, it transpires that though the trial court has held that there is allegation against the petitioner that he along with others assaulted the father of the informant with *daab* on his face and neck due to which he died but has not discussed as to how did he differ from his previous two orders. Learned trial court has not disclosed any specific allegation



against the petitioner. Learned counsel for the petitioner has submitted that the case of this petitioner stands on similar footing. Without considering the order of the trial court from perusal of the F.I.R. itself it is clear that the nature of allegation is general and omnibus. Petitioner is languishing in judicial custody since 21.02.2025.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Rivilganj P.S. Case No. 110 of 2019.

(Ashok Kumar Pandey, J)

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