

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78750 of 2024

Arising Out of PS. Case No.-521 Year-2023 Thana- NARHATT District- Nawada

Golu Kumar @ Shubham Kumar @ Subham Kumar, Son of Suman Kumar Singh, Resident of Village and P.O.- Narhat, P.S.- Narhat, District- Nawada, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rana Vikram Singh, Adv. Mr. Janmejay Giridhar, Adv.
For the State	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Aklavya Chandan Kumar, Adv. Mr. Jai Nandan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 31-01-2025 Heard Mr. Rana Vikram Singh, learned counsel appearing for the petitioner, Mr. Anant Kumar 1, learned APP appearing for the State and Mr. Aklavya Chandan Kumar, learned counsel appearing for the informant.

2. Petitioner seeks regular bail in connection with Narhat P.S. Case No. 521 of 2023 dated 28.10.2023 registered for the offences punishable under sections 302, 201 & 120B of the Indian Penal Code.

3. The main submissions advanced by learned counsel for the petitioner are that this is the second attempt of the petitioner to get the relief of regular bail as his earlier bail prayer was rejected by this Bench vide order dated 19.02.2024 passed in Cr. Misc. No. 8245/2024 and the fresh grounds taken



by the petitioner are his long incarceration period in jail as well as serious contradiction with regard to the recovery of the dead body in between the evidence of material prosecution witnesses and the prosecution's story described in the FIR. It is further submitted that as per the FIR, the dead body is said to have been recovered from inside the house of the petitioner and the informant claimed to have seen the dead body being present inside the house of the informant but during trial, the informant (deceased's wife), who has been examined as P.W. -4, deposed that the dead body was found in front of the house of the petitioner from bushes which is completely a contradictory fact as to the place of recovery of the dead body. It is further submitted that the petitioner has been languishing in jail since 03.11.2023 and most of the material witnesses have been examined and now, the release of the petitioner on bail at this stage will not affect the prosecution adversely.

4. Learned counsel for the informant as well as learned APP for the State has opposed the bail prayer of the petitioner.

5. Considering the aforesaid submissions and mainly taking into account the petitioner's present custody period as well as the aforesaid material contradiction in respect of the



place of recovery of the dead body as pointed out by petitioner’s counsel coupled with petitioner’s fair and clean antecedent, this Court is now inclined to grant the relief of regular bail to the petitioner. Accordingly, let the petitioner named-above be released 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 the concerned Court in connection with Narhat P.S. Case No. 521 of 2023.

(Shailendra Singh, J)

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