

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85281 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- MORKAHI District- Khagaria

Rinkesh Kumar Singh Son of Jag Narayan Prasad Singh Resident of Village-
Marar Dakshin (South), P.S.- Morkahi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 31-01-2025 Heard learned counsel for the petitioner and Mr.
Mohammad Sufyan, learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code and later on added under Section 120(B) of the Indian Penal Code and Section 25(1-b)a/26/35/27 of the Arms Act.

3. The case of the prosecution is that the brother of the informant namely, Shambhu Kumar (deceased) gone for measuring land. After measurement one Dinesh Rajak and the deceased were returning on a T.V.S. bike. Dinesh Rajak was his pillion and as they reached near Sonmakhi Sabalpur Road at about 06:00 P.M., two bikers overtook and fired at Shambhu Kumar. He was rushed to hospital where he died during his



treatment.

4. Learned counsel appearing on behalf of the petitioner has submitted that the case was filed against unknown miscreants. During investigation the name of this petitioner has surfaced in the confessional statement of co-accused namely, Vikesh Kumar. From perusal of the confessional statement of Vikesh Kumar it also transpires that he has disclosed his intention to remove the deceased as the deceased used to oppose them in their land dispute and after the disclosure of the intention to get the deceased removed, this petitioner has also asked as to how will he be removed. In the later part of the confessional statement Vikesh Kumar has stated that after deceased was killed, he informed his brother who was at Delhi. Even if treating this confessional statement as true then only allegation against the petitioner is that he was being informed by Vikesh Kumar regarding his intention to eliminate the deceased and after eliminating the deceased he was informed. No active role is attributing even by Vikesh Kumar. Except this statement, there is nothing against the petitioner. Petitioner is in custody since 29.07.2024.

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 with a condition that the petitioner shall not tamper the evidence in any manner and shall not threaten the witnesses. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court of Additional Chief Judicial Magistrate-1st, Khagaria in connection with Morkahi P.S. Case No. 74 of 2024.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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