

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42042 of 2015

Arising Out of PS.Case No. -122 Year- 2015 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

Uday Kumar Son of Bijay Singh R/o Village Baksu, P.S. Rajgir, District
Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 13-10-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 302,
201 and 379/34 of the Indian Penal Code.

The prosecution case is that on 07.06.2015
at 6.00 P.M. the FIR named accused persons including the
petitioner took the son of the informant, namely, Abhishek
Kumar for going to village Belour to watch some music and
dance programme. The son of the informant did not return and
on 09.06.2015 his dead body was found lying in a bush.

It is submitted by learned counsel for the

petitioner that post-mortem was done on 09.06.2015 in the evening when the doctors have found the dead body in a decomposed condition and assessed the death two days prior to the occurrence. It is further submitted except the last seen there is no direct evidence collected against the petitioner during investigation. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent and similarly situated FIR named co-accused persons have been granted regular bail vide Cr. Misc. No. 44228 of 2015.

Let the learned court below consider the prayer for regular bail of the petitioner keeping in view of the fact that similarly situated co-accused persons have been granted regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Rajgir P.S. Case No. 122 of 2015 pending in the court of learned Chief Judicial Magistrate, Nalanda.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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