

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56152 of 2018

Arising Out of PS. Case No.-5 Year-2017 Thana- SACHIVALAYA District- Patna

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Bittu Kumar Singh, Son of Binay Kumar Singh, resident of Village-
Binraoudh, P.S.- Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-10-2018 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sachiwalaya P.S. Case No. 5 of 2017 dated 21.01.2017, which was initially instituted for the offences under Sections 363, 365 and 34 of the Indian Penal Code, but later, with the finding of the dead body of the deceased, Section 302 of the Indian Penal Code has been added.

The father of the deceased has alleged that his son came out of his house to go to his office on 26.01.2017, but when he did not return till about 13th of January, 2017, a report was lodged with Sachiwalya Police Station. In the same breath, the informant has further stated that the deceased son of his was carrying



on an affair with the co-accused Ranjana Kumari under stealth.

On the basis of the aforesaid information to him about the activities of the deceased, the informant has concluded that the petitioner who is the cousin of Ranjana and other relatives of Ranjana have kidnapped the deceased for the purposes of eliminating him.

Learned counsel for the petitioner has submitted that for about seven days that the deceased did not return to his house, no information was provided to the police station and it was only after the passage of time that the present case has been lodged. Apart from this, it has been argued that during the course of the investigation no concrete material could be collected against the petitioner.

It has further been submitted that most of the accused persons of this case have been granted anticipatory bail by different Benches of this Court.

Learned counsel for the petitioner has furnished the aforesaid orders across the board for consideration in this case.

The aforesaid orders are put on record.

Considering the fact that no material could be collected against the petitioner and his implication in this case is only on the basis of his being distinctly related to



Ranjana Kumari with whom the deceased was having an affair, the petitioner above-named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-cum-Sub-Judge, Patna in connection with Sachiwalaya P.S. Case No. 5 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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