

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3350 of 2019

Arising Out of PS. Case No.-434 Year-2015 Thana- BEGUSARAI TOWN District- Begusarai

Sonu Kumar @ Sumit Kumar (Male-21 years), S/O Ram Shankar Singh,
Resident of Village-Sisauni, P.S.-Dandari, District-Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shubhesh Pandey, Advocate.
For the Opposite Party : Mr.Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 22-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 25.07.2018 in a case for the offence registered under Sections 364/34 of the IPC. Later on Sections 302 and 201 of the IPC were also added.

The prosecution story, in brief, is that the husband of the informant Kishan Sah purchased Bolero vehicle being Registration No. BR-09M-4015 and running it on rent. The vehicle which was in the name of his father-in-law on 22.08.2015 the vehicle was standing in the Taxi Stand inside the Begusarai Railway Station. Some unknown people hired the said vehicle for Patna. At 5.13 in the evening, there was talk that the husband of the informant was going to Patna. In the night, at



about 7.00 P.M. there was talk through Mobile No. 7782074999 from the husband of the informant that he was in Patna and going to take meal. Later on, he will talk. Thereafter, the informant tried to contact with her husband on mobile but the Mobile was switched off. She tried to find out from here and there but neither information was gathered nor the Bolero vehicle was found. She suspected that some unknown criminals disappeared his husband alongwith the Bolero vehicle.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai, in connection with Begusarai Town P.S. Case No. 434 of 2015.

(Sudhir Singh, J)

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