

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9009 of 2019**

Arising Out of PS. Case No.-130 Year-2018 Thana- SIMRI District- Buxar

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Ajeet Rai @ Ajeet Kumar Rai @ Bhola, aged about 26 years, male, Son of  
Bashishtha Rai, Resident of Village - Chhotka Chunni, P.S. Buxar Muffasil,  
District Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ravi Shankar Pathak, Adv.

For the Opposite Party/s : Md. Matloob Rab, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      18-02-2019                      Heard leaned counsel for the petitioner and learned  
APP for the State.

The petitioner is languishing in custody since  
23.10.2018 in a case registered for the offences punishable  
under Sections 363, 364, 302, 201 and 120(B) of the Indian  
Penal Code.

The prosecution case as per the written report of  
Shashishekhar Rai dated 08.06.2018, submitted to the S.H.O.,  
Simri P.S. is to the effect that on the same day at about 8.30  
P.M., the son of the paternal aunt of the informant, namely  
Shashank Rai @ Munnu, who had come from Balia, was



playing outside his house and after some time, he went missing. After search being made, when he could not be located, then the FIR of missing report was lodged against unknown. Subsequently, during investigation, name of several persons including the petitioner transpired.

It is submitted by learned counsel for the petitioner that there is no eye witness to the alleged occurrence and only on the basis of suspicion, the accusation has been levelled against the petitioner. It is further submitted that considering the suspicious nature of accusation, other co-accused persons have been granted bail by different benches of this Court vide order dated 21.12.2018, passed in Cr. Misc. No. 77227 of 2018 and vide order dated 10.12.2018 passed in Cr. Misc. No.73129 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that during investigation, name of the petitioner sprang up and he has been charge-sheeted.

Considering the suspicious nature of accusation, the fact that investigation has already been concluded and the period under custody, coupled with the statement being made in paragraph no.3 of the petition that the petitioner is not having



any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **C.J.M., Buxar**, in connection with **Simri P.S. Case No.130 of 2018.**

**(Dinesh Kumar Singh, J)**

Deepak/-

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