

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18362 of 2019

Arising Out of PS. Case No.-449 Year-2017 Thana- ALAMGANJ District- Patna

=====

Avinash Kumar @ Pallu Kumar, Son of Chetan Sao, Resident of Mohalla-
Nauzar Katra near Kalishthan, P.S.- Khajekallan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Sharma

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
24.11.2017 in a case registered for the offences punishable
under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case, as per the written report of
Yogendra Kumar submitted to the Station House Officer of
Alamganj Police Station on 21.11.2017, is to the effect that on
20.11.2017 co-accused Rinku Pandey came to the house of the
informant and asked the wife of the informant that he is taking
the her son, Anshu to attend a marriage ceremony but when the
son of the informant did not return till night, then, he made
search of his son. On 21.11.2017 the informant came to know
that a dead body of an unknown boy is lying behind Chailital
school but the informant returned without seeing the dead body



of unknown person. Subsequently, the informant went to NMCH and identified the dead body of his son. Thereafter, the informant came to know that the clothes of his son have been burnt by the petitioner and co-accused Vikky.

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 petitioner has been roped in the present case. The thrust of accusation is against co-accused Rinku Pandey, who has been granted bail by a Co-ordinate Bench of this Court vide order dated 02.11.2018 passed in Cr. Misc. No. 56458 of 2018 and other co-accused Rinku Saw has been granted bail by another Co-ordinate Bench of this Court vide order dated 24.07.2018 passed in Cr. Misc. No. 38127 of 2018. It is further submitted that the investigation has already been concluded. Though, the petitioner is accused in one another case but he is on bail in that case.

Learned APP submits that the petitioner also participated in the commission of the offence and he named in the FIR.

Considering the suspicious nature of accusation and the fact that the main accused Rinku Pandey has been granted bail by a co-ordinate Bench of this Court, 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 Additional Sessions Judge-V, Patna City in connection with Sessions Trial No. 25 of 2019, arising out of Alamganj P.S. Case No. 449 of 2017.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

