

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18157 of 2019**

Arising Out of PS. Case No.-421 Year-2018 Thana- BARARI District- Katihar

Md. Sakim Ansari @ Kaila @ Sakim Son of Md. Mister Ansari Resident of
Village- Mohna Chandpur, P.S.- Barari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

3 03-05-2019 Counsel for the petitioner is permitted to make necessary
correction in paragraph 1 of the petition in course of the day.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 363, 365/34 of the I.P.C., but police submitted charge sheet
under Sections 363, 364, 302, 201/34 of the I.P.C.

Allegation is that on 20.10.2018 accused Md. Sonu came
at the house of the informant and asked her son Sukhdeo Chaoudhary
to go to enjoy the fair, but her son was denying. In the meantime,
accused Md. Irfan called her son on mobile and he asked to attend
the fair. Thereafter her son and Sonu went on a bicycle. On the next
day, when her son did not return, the informant inquired from Sonu
and Irfan but they did not give any satisfactory answer and since then
her son is missing.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.12.2018 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the first time on the disclosure made by co-accused, who was named in the F.I.R. The informant did not name the petitioner neither in the F.I.R. nor in her re-statement. Thereafter in her third statement she named the petitioner in the present case. There is no recovery of any incriminating article from the possession of the petitioner.

On behalf of the State, it is 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 learned A.C.J.M. Vth, Katihar in connection with Barari P.S. case No.421 of 2018.

(Sudhir Singh, J)

Narendra/-

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