

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48108 of 2019

Arising Out of PS. Case No.-47 Year-2019 Thana- SHEOHAR District- Sheohar

Abhay Singh @ Abhay Kumar Singh Son of Ram Bahadur Singh Resident of
Village - Bhaluahin, P.S. and District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Vindhya Keshari Kumar, Sr. Advocate Ms. Sanjana, Advocate
For the Informant	:	Mr. Ashhar Mustafa, Advocate
For the State	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 25-09-2019 A supplementary affidavit has been filed during the

course of the day. Let it be taken on record.

Heard the learned counsel for the parties.

The petitioner seeks bail in connection with

Sheohar P. S. Case No. 47 of 2019 dated 05.03.2019

instituted for the offences under Sections 302, 201 and

120B of the Indian Penal Code.

The petitioner and one Anil Singh are said to have

taken away the deceased / Amresh Kumar Singh (brother of

the informant) to some unknown destination, whereafter the

brother of the informant never returned. Later, his dead-



body was recovered.

Mr. Vindhya Keshari Kumar, learned senior Advocate for the petitioner submits that assuming the allegations levelled in the F.I.R. to be *ex-facie* true, the only material against the petitioner is of his having been seen last with the deceased.

This ground with such facts does not appeal to this Court as there is strong suspicion against him and the petitioner is under an obligation to tell the investigating agency as to at what point of time did he leave the deceased or what happened to the deceased.

However, the learned senior counsel has drawn the attention of this Court to an order dated 16.07.2019 passed by a Bench of this Court in Cr. Misc. No. 43730 of 2019, whereby the co-accused / Anil Singh with exactly similar allegation has been granted bail, taking into account the fact that the only material against him is of last seen and his period of custody, which is from 15.04.2019.

The petitioner in the present case also is in custody since 15.04.2019 and is an accused of one case only in



which he has been granted bail.

On parity of reasoning, this petition is allowed.

The petitioner, above-named, is directed to be released on bail 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., Sheohar, District - Sheohar in connection with Sheohar P. S. Case No. 47 of 2019.

(Ashutosh Kumar, J)

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