

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73780 of 2019

Arising Out of PS. Case No.-21 Year-2018 Thana- SUHAIL District- Gaya

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Raju Bharti @ Raju Bhuiyan Son of Late Jatan Bhuiyan Resident of Village-
Jhiktiya, P.S.- Kothi, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Sohail P.S. Case No. 21 of 2018 (Sessions Trial No. 565 of
2019/ 210 of 2019) registered for the offence punishable under
sections 364 of the Indian Penal Code to which Sections 302,
120B and 34 of the Indian Penal Code were added subsequently.

As per allegation in the FIR, the informant narrates
about the movement of his brother Mohd. Kaisar Ali on
16.11.2018. It is further stated that when his brother did not
return on 18.11.2018, in spite of search nothing was recovered.
The FIR was registered against unknown.



It is submitted by learned counsel for the petitioner that the name of the petitioner has transpired during course of investigation on the confessional statement of one accused Akhilesh Bharti made before the police. The said Akhilesh Bharti has been enlarged on bail vide order dated 24.09.2019 passed in Cr. Misc. No. 42935 of 2019. Yet another co-accused Mukesh Prajapat has also been enlarged on bail vide order dated 10.05.2019 passed in Cr. Misc. No. 31362 of 2019. It is further submitted that besides the confessional statement of the co-accused, no incriminating material has been recovered from the petitioner, who has no criminal antecedent and is in custody since 04.12.2018.

Having heard learned counsel for the parties and taking into consideration the facts that co-accused Akhilesh Bharti, on whose confessional statement the name of the petitioner has transpired has been enlarged on bail, the petitioner has no criminal antecedent and he is in custody since 04.12.2018, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 3rd, Gaya



in connection with Sohail P.S. Case No. 21 of 2018 (Sessions
Trial No. 565 of 2019/ 210 of 2019).

(Partha Sarthy, J)

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