

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26417 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- KANKARBAG District- Patna

SURAJ KUMAR SINGH Son of Sri Ram Narayan Singh Resident of
Mohalla - Adarsh Colony, East Indira Nagar, Road No. 1, P.S.- Kankarbagh,
District – Patna Petitioner

Versus

THE STATE OF BIHAR Opposite Party

Appearance :

For the Petitioner/s : Mrs. Soni Srivastava
Mr. Arvind Kumar Mouar
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-12-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

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

The petitioner seeks bail in a case instituted for the
offences under Sections 363 and 365 of the Indian Penal Code in
which section 302 IPC was added later on.

The prosecution case in short is that the son of the
informant went missing and later his dead body was recovered from
valley.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 03.03.2020 and has got no criminal
antecedent. There is no allegation of tampering of witnesses alleged
against the petitioner. Charge-sheet has been submitted in the present



case. The petitioner is not named in the F.I.R. Charge-sheet has been submitted for an offence under Section 302 IPC and other allied sections of I.P.C. The case has been found to be false as far as abduction is concerned. The name of the petitioner has transpired in the present case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest his implication in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner in the present case.

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, it is directed that 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.D.J.-VII, Patna in connection with Kankarbagh P.S. Case No. 8/2020.

(Sudhir Singh, J)

Pankaj/-

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