

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.12420 of 2021**

Arising Out of PS. Case No.-162 Year-2019 Thana- ALOULI District- Khagaria

HIMANSHU SADA S/O BAUNU SADA R/O VILLAGE URDAHA, P.S.-  
ALAUULI, DISTRICT-KHAGARIA. ... .. Petitioner/s

Versus

THE STATE OF BIHAR ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate  
For the Opposite Party/s : Mr. Rajesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER**

4      23-08-2021                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 363 of the Indian Penal Code to which sections 302, 364, 201 and 34 of the Indian Penal Code was added subsequently.

As per allegations in the FIR, the 19 year old grand son of the informant who had gone out did not return and disappeared since 19.5.2019.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in course of investigation only on the basis of an unfounded suspicion stating that there was talk of a love affair between the deceased Sunil Kumar and one Rupam Kumari, the niece (brother's daughter) of this petitioner. Hence



a suspicion was raised by the informant and others that the petitioner along with his brother as also the wives of both the brothers have a hand in the killing. It is submitted that except for this suspicion, no other material has transpired in course of investigation. In fact the remains on being sent to the Department of Forensic Medicine and Toxicology, in the FSL report it has transpired that the body is of a male between 25 to 30 years. The same does not match the description of the informant who states his grand son to be 19 year old.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody since 23.8.2020 and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Alouli P.S. Case no. 162 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria.

**(Partha Sarthy, J)**

Prakash/-

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