

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11830 of 2021**

Arising Out of PS. Case No.-50 Year-2020 Thana- IMADPUR District- Bhojpur

ABHAY KUMAR @ ABHAY KUMAR SINGH Son of Kalayan Yadav
Resident of Village- West English, P.S.- Imadpur, District- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Malti Kumari, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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

3 23-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in connection with a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case the son of the informant went out with the petitioner. After an hour when he did not return, the informant made an attempt to contact him on mobile phone but he could not be contacted. It is stated that in the morning at about 5 am, he was found hanging from a tree. 'Hulla' was raised and he was got down with the help of co-villagers. He had died. It is stated that some persons had killed him and hung him on the tree.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case because of his relationship not being good. From perusal of the FIR it would be evident that there is no eye-witness to the alleged occurrence and at best the case against the petitioner is one of last seen. The petitioner is in custody since 30.7.2020, he has no criminal antecedent and investigation in the case has concluded.

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 for over 1 year and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Imadpur P.S Case no. 50 of 2020 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 Judicial Magistrate 1st Class, Bhojpur at Ara.

(Partha Sarthy, J)

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