

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 11000 of 2020**

Arising Out of PS. Case No.-277 Year-2019 Thana- JOGBANI District- Araria

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MUKUL KUMAR @ MUKUL KUMAR SAH @ MUKUL SAH S/o Late
Anandi Sah Resident of Jogbani, Ward No.7, P.S.- Jogbani, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Ravish, Advocate
		Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party/s :		Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

9 05-10-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that her son went with the three accused persons including the petitioner herein on 17.9.2019. On 18.9.2019 she had a talk with her son on telephone, however he did not return. It was on 21.9.2019 that his dead body was discovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Accepting the averments made in the FIR for the sake of argument, it is submitted that at best it is a case of last seen



against the petitioner who is in custody since 21.11.2019. No material has transpired in course of investigation to implicate the petitioner with the alleged crime. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the materials on record that has transpired in course of investigation together with the petitioner having remand in custody for 1 year and 10 months, the Court directs the petitioner to be enlarged on bail in connection with Jogbani (Bathnaha) P.S. Case no. 277 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, Araria.

(Partha Sarthy, J)

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