

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35035 of 2021

Arising Out of PS. Case No.-706 Year-2020 Thana- FATUA District- Patna

Vishwanath Ram Son of Ram Janam Ram R/O Village- Sultanpur, P.S.-
Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar,Advocate
For the Opposite Party/s : Mr.Shailendra Kr.Singh,APP
Mr.Arvind Kumar Mouar,Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Fatuha P.S. Case No. 706 of 2020, registered for the offence under Section 363, 365 of the Indian Penal Code, later on, Sections 302, 201, 120(B) / 34 of the Indian Penal Code.

As per the prosecution case, son of the informant became traceless, since 30.09.2020. The informant suspected that some unknown persons kidnapped his son.

Petitioner is not named in the FIR. Name of the petitioner has come during course of investigation. No incriminating article has been recovered from the conscious possession of the petitioner. There is no eye-witness to the



occurrence. Other two co-accused namely Rambali Paswan and Rani Devi have already been granted bail by learned court below itself (Annexure 2 and 2/1 respectively).

However, learned counsel for the informant vehemently opposed the bail petition and submitted that on the disclosure made by this petitioner, the sandal (चप्पल) of the deceased was found, which is admissible under Section 27 of the Evidence Act.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and accordingly, the bail petition of petitioner stands dismissed.

(Prabhat Kumar Singh, J.)

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