

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31536 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- DHANARUA District- Patna

SHIV KUMAR @ SHIVJEE PASWAN S/o Ramashray Paswan @ Hero
Paswan Resident of Village-Ramni Bigha, P.S.-Dhanarua, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Kumar Sharma

For the Opposite Party/s : Mr.Lakshmi Kant Sharma (APP)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

5 08-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Dhanarua P.S. Case No. 17 of 2020 registered for the offence
punishable under Sections 302, 201 and 34 of the Indian Penal
Code.

The petitioner is in custody since 18.01.2020. He was
named in the F.I.R. on the basis of suspicion to the effect that he
was last seen with the deceased. The father of the deceased is
the informant, who has alleged that the deceased had left his
house with the petitioner and two other persons and on the
subsequent day, upon search, his dead body was found thrown
in a field. It is the petitioner's case that even if the facts alleged



in the F.I.R. are treated to be correct, the petitioner cannot be said to be the last seen with the deceased, as the deceased was last seen with other two persons also after leaving his house, according to the informant's case.

I have carefully perused the case diary. It appears that charge sheet has been submitted and except for the allegation that the petitioner and the deceased were together after having left the house, no material has been collected against him, during the course of investigation.

Considering the facts and circumstances and the nature of materials available on record, in my opinion, case for grant of regular bail is made out. This application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Masaurhi, Patna in Dhanarua P.S. Case No. 17 of 2020.

(Chakradhari Sharan Singh, J)

AKASH/-

U		T	
---	--	---	--

