

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6434 of 2021

Arising Out of PS. Case No.-139 Year-2020 Thana- BACHHWARA District- Begusarai

ARUN SINGH Son of Late Baleshwar Singh Resident of Village- Majosdih,
P.S.- Badhbada, Distt- Begudarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-04-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State
through video conferencing.

The petitioner seeks bail in Bachhwara P.S. Case No.
139/2020 registered for the offences punishable under Sections
363/302/34/201 of the Indian Penal Code.

As per the prosecution case, on 06.07.2020 around 4
p.m., the informant gave information to the police that his son
Shivam Kumar @Raja, aged about 11 years, is missing and at
night about 10:00 p.m., when the informant's son did not return,
he again informed the police. On getting information, the police
started investigation. On 07.07.2020, in the morning, when the
informant was going to the police station to submit a written
report, then he received information that some clothes have been
found lying at the corner of the pit, then he along with his
relatives reached the place and found that the lying clothes



belongs to his son and they started search. Around 8 a.m., the informant saw the dead body of his son in the pit full of water. Informant suspected that the petitioner along with other accused persons have killed his son due to previous enmity.

It is submitted on behalf of the petitioner that only on the basis of suspicion, the petitioner has been made accused in this case. It is further submitted that there is no other cogent material to connect this petitioner in connection with the present case. It is next submitted that similarly situated co-accused persons have already been granted bail by this Hon'ble Court in Cr. Misc. No. 34473 of 2020 vide order dated 22.02.2021. Petitioner has got no criminal antecedent and he is in custody since 13.08.2020.

Considering the aforesaid facts and circumstances and the fact that only suspicion has been raised against this petitioner, coupled with the fact that he bears a clean antecedent, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate Begusarai, in connection with Bachhwara P.S. Case No. 139/2020, subject to following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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