

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6600 of 2021

Arising Out of PS. Case No.-99 Year-2020 Thana- AANDAR District- Siwan

Sheshnath Sharma son of Parma Sharma Resident of Village - Baheliya, P.S. -
Andar (M.H. Nagar), District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP
Mr. Ajay Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-06-2021 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant
through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Andar (M.H.Nagar) P.S.
Case No. 99 of 2020 registered under section 364 of the Indian
Penal Code to which sections 302, 201 and 34 of the Indian
Penal Code were added subsequently.

As per allegation in the F.I.R., it is stated by the
informant that her son who was a college student, disappeared.
It is further stated that he was having an affair with one Preeti
Kumari. As he was not to be found in spite of search, it is stated
that the informant suspects that he had been kidnapped by the



petitioner herein.

It is submitted by learned counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. Admittedly, there is no eye witness to the occurrence. The cause of false implication being that the petitioner happens to be the father of Preeti Kumari. Only a suspicion has been raised by the informant in the F.I.R. The petitioner is in custody since 1.7.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant referring to various paragraphs of the case diary submits that the love affair as mentioned in the F.I.R. has been substantiated by the witnesses in course of investigation. There is specific allegation against this petitioner which has been confirmed in the statement of co-accused Dikesh Kumar Singh.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, there being no direct allegation against this petitioner who is in custody since 1.7.2020 and investigation in the case having concluded, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection



with Andar (M.H. Nagar) P.S. Case No. 99 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 Chief Judicial Magistrate, Siwan.

(Partha Sarthy, J)

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