

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17514 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- MAHISHI District- Saharsa

-
1. SURAJ SINGH Son of Hari Krishna Singh @ Hare Krishna Singh, Resident of Village - Baghour, P.s.- Mahishi, Distt.- Saharsa.
 2. Ravi Singh Son of Arun Singh, Resident of Village - Baghour, P.s.- Mahishi, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

Mr. Suraj Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-12-2022 Heard learned counsel for the petitioners and learned
A.P.P for the State through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302, 201, 363, 365, 120B and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that the two petitioners took away his 17 year old son for the purpose of playing *DJ* and thereafter his son did not return. On inquiry, the informant states that it transpired that the two petitioners along with others had killed his son.

It is submitted by learned counsel for the petitioners



that the petitioners have been falsely implicated in the case. No incriminating article has transpired in course of investigation to connect the petitioners with the alleged crime. Even the witnesses whose statements have been recorded in paragraph nos. 7 and 8 of the case diary and which have been referred to in order of learned trial court while rejecting the application for bail of the petitioners, it would transpire that neither they are eye-witness to the occurrence nor they have made any substantial allegations against these petitioners. At best the case against the petitioners is of last seen. The petitioners are in custody since 16.11.2021 and charge-sheet has been submitted. They have no criminal antecedents.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegations and the material that has transpired in course of investigation against the petitioners together with the petitioners being in custody for over 1 year since 16.11.2021 and charge-sheet having been submitted in the case, both the petitioners are directed to be enlarged on bail in connection with Mahishi P.S. Case no. 213 of 2021 on each of them 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,
Saharsa.

(Partha Sarthy, J)

avinash/shiv

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

