

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41769 of 2021**

Arising Out of PS. Case No.-317 Year-2020 Thana- AAJAM NAGAR District- Katihar

BABU LAL RAI @ BABU LAL ROY S/O LATE CHIKU RAI @ CHIKKU
RAI R/O VILLAGE-SULTANPUR, P.S-BARSOI, DISTRICT-KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

4 08-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 201 of the Indian Penal Code.

As per the prosecution case, the informant states that her 18 year old daughter who had gone with her brother to the market disappeared and was not to be found inspite of search. Subsequently, her dead body was found. Cremation took place. It is stated that unknown accused persons had killed her.

It is submitted by learned counsel appearing for the petitioner that the name of the petitioner transpired in course of investigation. The petitioner happens to be the maternal uncle (Mousa) of the deceased. There is no eye-witness to the occurrence and even accepting the material that has transpired



in course of investigation for the sake of argument, at best a case of last seen may be alleged against this petitioner. The petitioner is in custody since 25.2.2021 and has no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, there being no eye-witness to the occurrence and the petitioner having remained in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Azamnagar P.S. Case no. 317 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, Katihar.

(Partha Sarthy, J)

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