

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42334 of 2021**

Arising Out of PS. Case No.-443 Year-2021 Thana- ARA NAWADA District- Bhojpur

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AMARJEET SINGH @ LALLU, Son of Naval Kishore Singh, Resident of
Village - Piprahiya, P.S.- Ara (M), District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 02-03-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within two weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Mukeshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Ara Nawada P.S. Case No.443 of 2021
registered for the offences punishable under Section 365 of the
Indian Penal Code and later on Section 302 of the Indian Penal
Code was also added. He has no criminal antecedent and is in
custody since 07.05.2021.

As per the prosecution story, on 22.04.2021 the father
of the informant had gone to attend the natural call at 8.00 am
towards eastern side but he did not return. The villagers told him



that his father was seen in the company of an unknown person.

Learned counsel submits that later on the dead body of the deceased father of the informant was found from a ditch of siphon canal. In course of investigation no eye witness turned up, nobody has seen this petitioner with the deceased at any point of time.

It is submitted that the petitioner had been brought within the purview of the investigation of this case only on the basis that in the dump data of the mobile phones of the area from where the dead body was found, the mobile number of this petitioner was also detected. Save and except this, there is no other material against the petitioner. This being a case of circumstantial evidence, if any, no motive at all has been alleged against this petitioner and in course of investigation also the I.O. has not found any motive attributed to this petitioner by any witness.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner, but has categorically submitted that save and except the fact that the mobile number of the petitioner was found in the dump data of that area there is no other material against him. The wife of the deceased has said that her husband had been going to collect the outstanding



amount from the petitioner but on the alleged date of occurrence, the case of the informant is that his father had gone to meet the call of nature at 8.00 am whereafter he did not return.

Having regard to the submissions noted hereinabove and upon finding that there is no eye witness to the alleged occurrence and nobody has seen the deceased either going to the petitioner or going towards the village of the petitioner, in the nature of the materials wherein no witness has come forward to make any allegation against the petitioner or motive against him, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at Ara in connection with Ara Nawada P.S. Case No.443 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail



bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

