

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49479 of 2021

Arising Out of PS. Case No.-3 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

Afroj Sai @ Bhuwar Son Of Idrish Sai Resident Of Village- Takiya,
Badhaiyabag, P.S.- Sasaram (T), District- Rohtas.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Sasaram
(M) P. S. Case No.03 of 2019, instituted for the offences under
Sections 302, 201, 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 05.04.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

The learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the F.I.R., it would
manifest that the informant alleges that on 31.12.2018, his son
parked his tempo in his house at 4.00 P.M. and around 5.00
P.M., the named accused persons including the petitioner came



and took his son (deceased) along with them towards Amara Talab and on the next day, it is alleged that the informant came to know that one dead body has been found on the railway track and when the informant along with others went at the place of occurrence, he found that the dead body was of his son. Thus, the informant based on suspicion alleges that the petitioner and other named accused persons had come and taken his son to Amara Talab and they might have killed his son.

The learned counsel for the petitioner submits that the informant is not an eye witness to the alleged occurrence and even during the course of investigation, no incriminating article has been recovered from the possession of the petitioner. Further, co accused Minu Ahmad @ Amin Ahmad has been granted bail by order dated 28.08.2019 in Cr. Misc. No.34328 of 2019.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 05.04.2021, he is a person with clean antecedent, charge-sheet has been submitted in the case and co-accused has been granted bail and the allegation is based on suspicion, the petitioner, above-named, is directed to be released on bail on his



furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P. S. Case No.03 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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