

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52890 of 2021

Arising Out of PS. Case No.-183 Year-2021 Thana- PURNEA SADAR District- Purnia

MD AZAD SON OF MD. TASLIM RESIDENT OF VILLAGE-
JAMUNIYA, P.S.- PARBATTI, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 364, 120B and 34 of the Indian Penal Code to which sections 302 and 201 were added subsequently.

As per the prosecution case, the son of the informant was kidnapped by accused Md. Chand and others. It is stated that the cause of the occurrence was that the daughter-in-law of the informant was having an affair with Md. Chand which was objected to by her husband i.e. the son of the informant.

It is submitted by learned counsel for the petitioner that subsequently on the dead body of the son of the informant having been found, sections 302 and 201 of the Indian Penal Code were added. The cause of false implication of the petitioner is only his being the brother of the FIR named



accused Md. Chand. No material has transpired in course of investigation to connect him with the alleged crime. The petitioner is in custody since 22.5.2021 and charge sheet has been submitted in the case. He has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the FIR, the material that has transpired in course of investigation and the petitioner having remained in custody for more than 10 months, the Court directs the petitioner to be enlarged on bail in connection with Sadar (Mufassil) P.S. Case no. 183 of 2021 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, Purnea.

(Partha Sarthy, J)

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