

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45886 of 2022

Arising Out of PS. Case No.-173 Year-2022 Thana- FORBESGANJ District- Araria

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Arun Biswas Son Of Ram Prasad Mandal R/O Village- Raniganj Potari, P.S.-
Forbesganj, Dist.- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-12-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Forbesganj P.S. Case No. 173 of 2022 registered for the offences
punishable under Sections 363, 120(B) and 34 and subsequently
added Sections 302 and 201 of the Indian Penal Code.

As per the prosecution, the informant's son namely,
Pintu Kumar went missing on the alleged date and time and
later on his dead body was found near a bridge.

The main submissions advanced by the learned
counsel Mr. Binod Kumar Yadav appearing for the petitioner are



that the petitioner has fair and clean antecedent and he is not named in the FIR and has been languishing in jail since 11.06.2022 and there was no reason for the petitioner to be involved in abduction and murder of the informant's son and during the course of investigation, it only came out that the deceased talked the petitioner by using mobile phone during the relevant time of the alleged occurrence.

Learned APP Mr. Anuj Kumar Shrivastava appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the order of learned Court below. The petitioner is not named in the FIR and there is no direct evidence against him and as per the order of learned Court below the deceased only made a conversation with the petitioner on a mobile phone at the relevant time of the alleged occurrence and in the postmortem examination the doctor concerned did not find any definite cause of death of the deceased and accordingly viscera was preserved for chemical examination and prosecution has not revealed any motive on the part of the petitioner to kill the deceased. Considering all these facts, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on



furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Forbesganj P.S. Case No. 173 of 2022.

(Shailendra Singh, J.)

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