

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49268 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- GHOGHARDIHA District- Madhubani

ANKIT KUMAR YADAV @ ANKIT ARYAN S/o Ashok Kumar Yadav R/o
village- Gidha, P.S.- Ghoghardiha, District- Madhubani Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramakant Sharma, Sr. Advocate

Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 21-12-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner seeks bail in a case instituted for the offences under Sections 302/34 of the Indian Penal Code in which charge-sheet has been submitted under sections 302, 120(B)/34 of the Indian Penal Code.

Prosecution allegation, in short, is that the son of the left the house and did not return. The informant suspects that his son has been killed by accused persons.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.04.2021 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in



the present case. The name of the petitioner has transpired in the F.I.R. merely on the basis of suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Subsequently, the petitioner was taken into custody by the police and on his self confession, he has been charge-sheeted in the present case. The said confession is made before the police and the same is not admissible in the eyes of law.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-III, Jhanjharpur in connection with S.T. No. 199/2022(CC) arising out of Ghogardiha P.S. Case No. 54/2021.

(Sudhir Singh, J)

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