

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72307 of 2021

Arising Out of PS. Case No.-379 Year-2018 Thana- DURGAWATI District- Kaimur (Bhabua)

Sunil Kumar Singh Son of Sri Ram Niwas Singh Resident of Village- Chhata
Tola, Naraili, P.S.- Durgawati, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramchandra Singh, Advocate
For the Opposite Party/s	:	Mr. Mukesh Kumar Singh, A.P.P.
For the Informant	:	None

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State. No one appears on behalf of the informant.

The petitioner seeks bail in connection with
Durgawati P.S. Case No. 379 of 2018 registered under Sections
364, 34 of the Indian Penal Code and subsequently Sections 302
and 201 of the Indian Penal Code were added.

The learned counsel for the petitioner submits that the
petitioner is in custody since 01.10.2021, is a person with clean
antecedent, charge-sheet has been submitted in the case and the
informant alleges that his son accompanied the petitioner and
the named accused persons for picnic to Latif Sah Dam, but did
not return while the accused persons returned to their home and
on inquiry they did not give any satisfactory explanation to the
informant about his son, thus, alleges that his son might have



been kidnapped by the accused persons.

The learned counsel submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that the son of the informant had willingly accompanied the accused persons for a picnic which amply demonstrates that neither the informant nor his son had any apprehension from the accused persons, it is further submitted that at the time of picnic the son of the informant had taken liquor and was forcing to drive the car to which the petitioner and other friends objected, on which the son of the informant got down from the car in anger. It is further submitted that subsequently his dead body was recovered from a *Canal*.

The learned counsel for the petitioner submits that informant is not an eye witness to the occurrence, the entire allegation hinges around suspicion, there was absolutely no motive for the accused person to kill the deceased, it is further submitted that the accused persons had disclosed the entire fact to the informant but for reason best known to him in the F.I.R. it is alleged that the accused persons were absconding and they did not inform the informant about the whereabouts of his son. It is also submitted that Polygraphic test of the petitioner was done in that also nothing came out to even remotely connect the



petitioner with the offence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 01.10.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named is directed to be released on bail 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 court below where the case is pending/successor court in connection with Durgawat P.S. Case No. 379 of 2018.

(Satyavrat Verma, J)

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