

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5118 of 2023

Arising Out of PS. Case No.-631 Year-2021 Thana- SIWAN CITY District- Siwan

ASIF AHMAD @ ASIF MAHMOOD @ ARIF @ DIAMOND Son of
Mahboob Miya R/v- Makhdoom Sarai, P.S. and P.O.- (Siwan) Town, District-
Siwan, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Narayan

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 365, 364,
302, 201, 120B & 34 of the Indian Penal Code.

As per prosecution case, the informant alleged that his
elder son Vishal Kumar Singh left house on his black Scorpio
along with two named persons. However, his son did not return
in the night. On the next day i.e. on 08.11.2021, informant
received a phone call from Mirganj P.S. that the said Scorpio
was found abandoned condition thereafter this information, the
informant filed case against unknown accused persons.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Petitioner



has neither concern with the alleged occurrence nor he is named in the FIR. He has falsely been implicated in this case merely on the basis of confessional statement of the co-accused namely, Sandeep Kumar who has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.2.2023 passed in Cr. Misc. no. 48151 of 2022, hence, the case of this petitioner stands on similar footing of that of co-accused. He has got no criminal antecedent. The petitioner is languishing in judicial custody since 18.4.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Siwan Town P.S. Case No. 631 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Court-XI, Siwan.

(Sunil Kumar Panwar, J)

Amandeep/-

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