

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6794 of 2023

Arising Out of PS. Case No.-16 Year-2022 Thana- ASANWA District- Siwan

Nikhil Kumar Dubey S/O Rameshwar Dubey R/v- Babhnauli, P.S.- Assaon,
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 363, 364, 201, 34 of the Indian Penal Code.

Prosecution case in brief is that on the alleged date and time of occurrence, the nephew of informant namely, Aditya Shukla was playing near *Kaali Mata Mandir*, after some time, when informant came to *Kaali Mata Mandir* for taking his nephew to home, then he found that Aditya Shukla was not there. Thereafter, informant along with family members started searching Aditya Shukla, but he could not be traced out.

It is submitted that FIR was registered against unknown. Name of petitioner transpired during course of



investigation on the basis of restatement of informant in which the only material that has come that this petitioner was seen along with the deceased watching video together. Save and except this fact, there is no material against this petitioner which show is complicity in the alleged occurrence. Petitioner claims clean antecedents.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 learned Additional Chief Judicial Magistrate VII, Siwan in connection with Assaon P.S. Case No. 16 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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