

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8229 of 2023

Arising Out of PS. Case No.-132 Year-2022 Thana- PATORI District- Samastipur

Bigan Rai Son of Late Bishun Dev Rai R/v- Garhi Mohanpur, Tola- Lodipur,
P.S.- Patori (O.P. Mohanpur), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-05-2023 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Section 364 of Indian Penal Code.

It is alleged that one Maruti Devi, bhabhi of the
complainant, brought husband of the complainant to Patna with
her for his treatment but her husband did not return and later, his
mobile phone was switched off. It is further alleged that this
petitioner along with other accused persons in conspiracy, killed
and disappeared the husband of the complainant.

Learned counsel appearing for the petitioner submits
that complainant has lodged the F.I.R. after delay of 88 days and
there is no plausible explanation for same. Petitioner has been
made accused only on the basis of suspicion and there is no



direct or indirect evidence against the petitioner to show his complicity in the present case. Petitioner has got clean antecedent.

Considering the delay in lodging the F.I.R. and clean antecedent, let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Judicial Magistrate, 1st Class, Patori, Samastipur in connection with Shahpur Patori/Patory P. S. Case No. 132 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

