

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20292 of 2022

Arising Out of PS. Case No.-128 Year-2018 Thana- KHAJAULI District- Madhubani

Pradeep Saday Son Of Late Mukhi Saday Resident Of Village-Marar
Mushar,I P.S- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 364/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that
petitioner is in custody since 07.12.2021 and is a person with
clean antecedent.

Learned counsel for the petitioner submits that as per
the prosecution case, the son of the informant was missing since
15.07.2018 but no information in this regard was given to the
police station for seven days and the FIR was instituted on
22.07.2018 alleging that after a lot of search, the informant
came to know that on 15.07.2018, the accused persons,



including the petitioner, were talking that the son of the informant has become a hero and hence they will abduct him and throw him in the Koshi Canal after killing, further the same was heard by one Jeewachh Saday who is a co-villager of the informant who was present when the accused were talking.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that entire case hinges around suspicion, Jiwachh Saday is a political person and is an elected member of the Ward of the petitioner and the petitioner was protesting against him and thus he has been falsely implicated in the manner as alleged. It is next submitted that there is no explanation that as to why the FIR was instituted after such a delay, it is also submitted that Umesh Saday has been granted regular bail *vide* order dated 18.08.2021 in Cr. Misc. No. 8865 of 2021.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Khajauli P.S. Case No. 128 of 2018 and the conditions as imposed by



order dated 18.08.2021 in Cr. Misc. No. 8865 of 2021 (**Umesh Saday Vs. the State of Bihar**) will also apply in the present case.

(**Satyavrat Verma, J**)

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