

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31976 of 2023

Arising Out of PS. Case No.-42 Year-2021 Thana- SISWAN District- Siwan

Uday Kumar Singh @ Uday Kumar Son of Late Jagarnath Singh Resident Of
Village- Baghona, P.S.- Siswan, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Siswan
P.S. Case No. 42 of 2021 registered for the offence under
Sections 364, 302, 201, 120-B of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 12.02.2023.

The allegation against this petitioner is to commit
murder of son of informant along with other co-accused persons
after kidnapping.

Learned counsel appearing on behalf of the petitioner
submitted that the name of petitioner surfaced in present case



only after two years of occurrence through supplementary charge-sheet, as deceased was found 'last seen' with petitioner. It is submitted that to cover up the accusation of main co-accused persons, the present false implication was surfaced during the course of investigation on the instances of real culprits and accused of present case, an application of said effect had already given by informant before concerned Judicial Magistrate of Siwan. It is submitted that interestingly the petitioner also arrayed as one of the charge sheeted witness. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposed the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except 'last seen' allegation, which was raised through supplementary charge-sheet after two years of occurrence, where petitioner is in custody since 12.02.2023, accordingly the petitioner, above named, is directed to be released on bail in connection with Siswan P.S. Case No. 42 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Siwan/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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

