

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44910 of 2023

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

DHANANJAY SINGH SON OF LATE RADHAKISHUN SINGH
RESIDENT OF VILLAGE - BAGHAUNA, P.S. - SISWAN, DISTRICT -
SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate

Mr. Ritwik Thakur, Advocate

Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-07-2023 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Siswan P.S. Case No. 42 of 2021 registered for the offence under Sections 363 of the Indian Penal Code and subsequently Section 364, 201, 120B and 302 of the Indian Penal Code were also added.

3. The accused/petitioner is not named in the F.I.R. and is in custody since 10.04.2023.

4. The allegation against the petitioner is to kidnap the minor son of the informant along with unknown co-accused persons, aged about 5 years, which later on, found



murdered by using sharp edged cut weapon.

5. Learned counsel appearing on behalf of the petitioner submitted that the implication of this petitioner is out of suspicion, as he along with other co-accused persons threatened the informant prior to this occurrence. It is submitted that name of the petitioner was given to investigating agency after the recovery of dead body, where, during course of investigation, nothing incriminating surfaced, as to connect him, *prima facie*, with present occurrence of kidnapping and murder. It is further submitted that similarly situated co-accused person has already granted bail by one of the learned co-ordinate Bench of this Court, through Cr. Misc. No.39118 of 2021 dated 13.07.2022. While concluding the argument, it is submitted that petitioner found involved in one more case, in which, he has already acquitted, as such it can be safely gathered that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer of bail.

7. Considering the facts and circumstances as



mentioned above, as save and except suspicion nothing surfaced against this petitioner, as to connect him, *prima facie*, with present occurrence of kidnapping and murder coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 10.04.2023, let 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, Siswan/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

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

