

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45163 of 2023**

Arising Out of PS. Case No.-30 Year-2023 Thana- ALIPUR District- Gaya

Akhila Bind Son of Late Kundan Bind, Resident of Village Hamirpur P.S.-  
Sakurabad, District Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No.1, APP.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      06-09-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Alipur P.S. Case No. 30 of 2023 dated 06.03.2023, lodged under  
Sections 302, 201, 120(b) of the Indian Penal Code read with  
Section 27 of the Arms Act.

3. As per prosecution case, the F.I.R. has been lodged  
against unknown accused persons alleging that a dead body of  
unknown female has been found at the border of Jehanabad-  
Arwal. Upon information to the Police, the F.I.R. has been  
lodged. It has been found that the said deceased female was  
pregnant.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has not committed any offence. He



further submits that during investigation the name of one Sambhu Bind has figured in commission of the crime as the deceased was well known to the said Sambhu Bind and on the confessional statement of the said Sambhu Bind, the name of present petitioner has figured in this case. He also submits that in the investigation allegation has come against Sambhu Bind that he has an illicit relation with the deceased and from him the said deceased became pregnant. Learned counsel submits that petitioner is the maternal uncle of said Sambhu Bind and only due to this reason his name has figured in this case. He also submits that antecedent of petitioner is clean and he is aged about 55 years. Learned counsel submits that petitioner is in custody since 11.03.2023 and charge sheet has already been filed in this case.

5. Learned counsel for the State opposes the prayer for bail but admits that save and except the confessional statement, there is no other material available against the petitioner.

6. Upon specific query of the Court that whether in the investigation weapons used has been recovered, counsel submits that upon perusal of the case diary it transpires that no recovery of such weapon has been made.



6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1<sup>st</sup> Class, Gaya in connection with Alipur P.S. Case No. 30 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

7. With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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