

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48379 of 2023

Arising Out of PS. Case No.-631 Year-2021 Thana- SIWAN CITY District- Siwan

MD. SAMIM ASGAR @ SAMIM ASGAR S/O MD. ASGAR ALI R/O
Poorani Qila, P.S- Siwan Town, Distt.- Siwan, State- Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Narayan, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 08-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Siwan Town P.S. Case No. 631 of 2021 dated 9.11.2021 registered for the offence punishable u/s 365, 364, 302, 201, 120B read with section 34 of the Indian Penal Code.
4. As per the prosecution case, the informant has instituted this case alleging that on 07.11.2021 at about 11 am his elder son Vishal Kumar Singh left house on his black



Scorpio along with 2 named persons. However, his son did not return in the night. On the next day, the informant received a phone call from Mirgan P.S. that the said Scorpio was found abandoned and currently parked with the Mirganj P.S. With this information, the informant filed case against unknown accused persons.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR. His name has sprung up in the confessional statement of co-accused, Sandeep Kumar. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 25.2.2023 passed in Cr. Misc. No. 48151 of 2022. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 24.5.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Siwan Town P.S. Case No. 631 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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