

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52186 of 2022

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

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Ayub Khan Son Of Kamrul Haque Khan R/O Village- Gyaspur, P.S. And P.O.-
Siswan, District- Siwan, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 60490 of 2022

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

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Md. Saheb @ Raju Son Of Md. Salauddin Resident Of Village- Makhdoom
Sarai, P.S. And P.O.-(siwan) Town, District- Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 52186 of 2022)

For the Petitioner/s : Mr.Amit Narayan

For the Opposite Party/s : Mr.Anita Kumari

(In CRIMINAL MISCELLANEOUS No. 60490 of 2022)

For the Petitioner/s : Mr.Amit Narayan

For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 20-06-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for regular bail in a

case registered for the offence punishable under sections

365, 364, 302, 201, 120B & 34 of the Indian Penal



Code.

As per prosecution case, the informant has instituted this case that on 07.11.2021 his elder son Vishal Kumar Singh left house on his black Scorpio along with two named persons. However, his son did not return in the night. On the next day i.e. on 08.11.2021, the informant received a phone call from Mirganj P.S. that the said Scorpio was lying abandoned at Mirganj Police Station. The informant thereafter filed the case against unknown accused persons.

Learned counsel for the petitioners submits that the petitioners are innocent and they committed no offence. They have falsely been implicated in this case merely on the basis of confessional statement of the co-accused person. The petitioners have no concern with the alleged occurrence nor they are named in the FIR. It is further submitted that nothing any incriminating articles have been recovered from their conscious possession. The petitioners are languishing in judicial



custody since 02.01.2022 and 07.03.2022 respectively.

In contra, learned APP appearing for the State has vehemently opposed the prayer of regular bail of the petitioners and submitted that petitioners have criminal antecedents.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Siwan Town P.S. Case No. 631 of 2021(Sessions Trial No. 532/2022) on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Court-XI, Siwan.

(Sunil Kumar Panwar, J)

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