

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70061 of 2023

Arising Out of PS. Case No.-330 Year-2023 Thana- NAGAR District- Vaishali

Ram Ishwar Das @ Lambu S/o Kantlal Das, R/o Village - Rahimapur, P.S. - Bidupur, District- Vaishali, Presently Residing at - C/o Dina Singh, Rajendra More, P.S. - Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 364 and 365 of the Indian Penal Code.

3. As per allegation in the FIR, the petitioner along with co-accused namely, Sonelal Chaudhary came to the house of the informant and took her husband for work who did not return. The informant has apprehension that both have killed her husband and get him disappeared.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case merely on the basis of suspicion. The F.I.R. has been lodged after about one



month of the date of occurrence which creates doubt regarding relevancy of the story. During investigation in para 21 and 22 of the case diary, the statement of the victim was recorded u/s 161 and 164 of the Cr.P.C. respectively wherein he has not whispered about the complicity of the petitioner. There is no motive to abduct the victim as alleged by the informant against the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 16.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in connection with Town P.S. Case No. 330 of 2023.

(Sunil Kumar Panwar, J)

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