

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67789 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- BELA District- Sitamarhi

RAKESH PATEL Son of Rambabu Raut Resident of Village - Chandi
Rajwara, P.S.- Bela, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 302, 201, 120(B)/34 of the
Indian Penal Code.

As per allegation in the FIR, the accused persons took
away his son, namely, Parwez Alam from his house and did not
return. On very next day, his dead body was found in wheat
field.

It is submitted by learned counsel for the petitioner
that petitioner is innocent and has committed no offence. He has
been falsely implicated in this case. His name has been
transpired in this case on the basis of confessional statement of
co-accused Anisha Khatoon, which has no evidentiary value in



the eye of law. No one is the eye witness of the alleged occurrence. There is no specific allegation against the petitioner and the allegation alleged against him is general and omnibus. The other co-accused Mrs. Anisha Khatun @ Anisha Khatoon has already been enlarged on bail by this Bench vide order dated 31.08.2023 passed in Cr. Misc. No. 55713 of 2023. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 3.3.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 SDJM, Sadar, Sitamarhi in connection with Bela P.S. Case No. 48 of 2023.

(Sunil Kumar Panwar, J)

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