

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74717 of 2022

Arising Out of PS. Case No.-183 Year-2022 Thana- NAVINAGAR District- Aurangabad

ABHIMANYU SINGH @ ABHIMANYU KR. SINGH Son of Pancham
Singh R/v- Janakpur Pokhra, P.S.- Nabinagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kirshan Kant Singh, Senior Advocate Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-03-2023 Heard learned counsel appearing on behalf of the parties.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Nabinagar P.S. Case No. 183 of 2022 registered for the offence under Section 364 of the Indian Penal Code and subsequently Section 302 of the Indian Penal Code was added.

The accused/petitioner is named in the F.I.R. and is in custody since 09.07.2022.

The allegation against the petitioner is to kidnap the father of informant, where, after kidnapping the dead body of the father of informant was recovered.



Learned senior counsel appearing on behalf of the petitioner submitted that entire allegation is based upon suspicion for the reason that petitioner is the neighbour of informant, where, certain altercation with deceased father of the informant took place, before the occurrence. It is submitted that entire allegation as regard to advancing loan and of putting lock in partially constructed house of the informant is based upon hearsay input of undisclosed villagers. It is submitted by learned senior counsel that save and except suspicion, no incriminating material recovered/surfaced, during course of investigation, to connect this petitioner, with the present set of occurrence. It is also pointed out as petitioner found involved in 05 more criminal cases for the suspicion arises out of the said criminal antecedents, this petitioner also named in the present case, without any connecting evidence. While concluding the argument, it is submitted that investigation of this case has already completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, submitted that there is a grave suspicion against this petitioner as regard to involvement in alleged crime.

Considering the facts and circumstances as mentioned



above, as implication of petitioner is based upon hearsay input and suspicion, where, no incriminating material surfaced/recovered, during course of investigation, which may connect this petitioner, *prima facie*, with the present set of occurrence coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nabinagar P.S. Case No. 183 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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