

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4491 of 2024

Arising Out of PS. Case No.-407 Year-2023 Thana- PAROO District- Muzaffarpur

Md. Saif @ Sahanawaz Siddique, aged about 20 years (Male), Son of Mr. Md. Raju @ Reyajuddin @ Md. Reyajuddin, R/o vill - Kolhua, P.S. - Saraiya, Distt. - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Mrs. Vaishnavi Singh and Mr. Ritwik Thakur, Advocates.
For the State	:	Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 16-05-2024 This matter has been listed under the heading 'For orders (on office notes)'.

2. Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

3. The petitioner seeks bail in connection with Paroo P.S. Case No. 407 of 2023 dated 20.09.2023 registered for the offences punishable under Sections 302 and 201 of the I.P.C.

4. As per the prosecution case, on 20.09.2023 at about 5.00 P.M., while the informant was visiting his area, he received an information that in a paddy field beside the road at a distance of about 200 meters from *Paroo Canal*, the dead body of an unknown person was lying on which he immediately rushed



there and saw that on the village road that goes towards *Gadha*, certain villagers had assembled and then he spotted a dead body dumped in the paddy field wrapped in a plastic car cover and when the cover was opened, the dead body of the unknown person was fully visible but none of the villagers present could identify that and so it appeared him that some persons had killed him at some other location and his body was dumped there with a view to conceal the crime and he requested for legal action.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the deceased died in some other mode and manner and either to save the real culprit or with ulterior motive the petitioner has been roped in the present case at a belated stage. The petitioner is not named in the F.I.R. The dead body of the deceased was identified on the basis of ATM card which was recovered from his pocket and on that basis his family members came and identified the same on 21.09.2023. It is further submitted that the petitioner came to know that during investigation, the family member of the deceased did not take name of the petitioner and they have raised only suspicion against the co-accused Manoj Kumar only by saying that the deceased had left on 19.09.2023 at 7.00 A.M. to go to Saraiya to



get the Alto Car of the co-accused Manoj Kumar and thereafter he did not return. The said co-accused Manoj Kumar was apprehended and in his confessional statement, he has named the petitioner and others. The petitioner has no concern with the said Alto Car which was used in the alleged crime. He is neither the owner nor the driver of the said car in question. He does not even hold a driving license. It is further submitted that during investigation the CCTV footage of the house of the co-accused was also perused but nowhere it has been stated that the petitioner was identified or found in the said footage which only goes to show the presence of the bike of the deceased at the house of the co-accused Manoj Kumar. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 17.10.2023.

6. Learned A.P.P. for the State and learned counsel for the informant have 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 Judicial



Magistrate-1st Class, West, Muzaffarpur in connection with
Paroo P.S. Case No. 407 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

