

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49314 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- PARBATTa District- Khagaria

Mithun Kumar Son of Premlal Sharma Resident of Village - Thebhay, Police Station - Parbatta (Bharat Khand), District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Adv.
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-08-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Parbatta (Bharat Khand) P.S. Case No. 12 of 2024 dated 09.01.2024 registered for the offences punishable under Sections 364, 365, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the FIR named accused persons are alleged to have abducted the informant's husband with intention to kill.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR but the name of



the petitioner has sprung up in this case in the confessional statement of the co-accused, Puja Devi who had illicit relationship with the co-accused, Manoj Sharma and she in her confessional statement has stated that the deceased was not murdered by the petitioner. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.01.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that learned court below took cognizance under Section 302, 120B and 201 read with Section 34 of the I.P.C. The dead body was recovered as per confessional statement of co-accused Akhilesh Yadav who killed the deceased, Manoj Sharma and he participated in the disposal of the dead body. The dead body was recovered at the instance of the petitioner.

6. 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 S.D.J.M., Khagaria in connection with Parbatta (Bharat Khand) P.S. Case



No. 12 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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