

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62838 of 2024

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

Akhilesh Das @ Ajay Raj, (Male), aged about 28 years, S/o- Vilas Das, R/O Village- Thebhay, P.S.- Parbatta, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Yogesh Kumar, Advocate
For the Opposite Party : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-09-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Parbatta P.S. Case No. 12 of 2024 dated 09.01.2024 registered for the offences punishable under Sections 364, 365 and 504/34 of the I.P.C.

3. As per the prosecution case, the F.I.R. named persons are alleged to have abducted the informant's husband with an intention to kill.

4. 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 name of the petitioner has come in the present case only on the basis of the confessional



statement of the co-accused Puja Devi who had illicit relationship with the deceased Manoj Sharma. The dead body of the deceased was recovered from *Akha Dhala* near *B.S.N.L. Tower* on 10.01.2024 at the instance to the co-accused Mithun Kumar who has also illicit relationship with Pooja Devi. It is further submitted that the petitioner in his confessional statement has confessed that he was not present at the place of occurrence and only he saw that the deceased Manoj Sharma and the co-accused Puja Devi had gone towards the field. The co-accused persons Mithun Kumar and Puja Devi have already been granted regular bail by a Bench of this Court vide Cr. Misc. No. 49314 of 2024 under order dated 12.08.2024 and Cr. Misc. No. 48030 of 2024 under order dated 07.08.2024, annexed as Annexures-P/2 and P/3 to the present bail application. There is general and omnibus allegation against the petitioner. The petitioner has two criminal antecedents as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 12.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition 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 P.S. Case No. 12 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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