

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76439 of 2023

Arising Out of PS. Case No.-102 Year-2023 Thana- SAKRA District- Muzaffarpur

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HARENDAR RAM S/O LATE ANANDI RAM VILLAGE- KABA DIH, PS.
BALIGAON, DIST. VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

.. ... Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Shambhu Sharan Singh, Advocate
For the Opposite Party/s :	Mr. Rabindra Kumar, Advocate
	Mr. Yogendra Prasad Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sakra P.S Case no.102 of 2023 registered under sections 365 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that accused Randhir Kumar called his brother to receive money. Thereafter, Randhir Kumar and Sudhir Kumar took his brother to the house of his maternal grandfather and the petitioner. The whereabouts of his brother is not known since then and the informant apprehends that he may have been murdered.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Admittedly the main allegation is against the accused Randhir Kumar and Sudhir Kumar. The said Randhir Kumar has been enlarged on bail vide order dated 13.2.2024 passed in Cr. Misc. no.72812 of 2023. It is further submitted that the prosecution is incorrectly relying on the so called confessional statement of the petitioner which the petitioner never gave. He is in custody since 2.3.2023 and charge-sheet has been submitted in the case. He has no criminal antecedent.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, the main allegation being against Randhir Kumar, the said Randhir Kumar having been enlarged on bail vide order dated 13.2.2024 passed in Cr. Misc. no.72812 of 2023 and the petitioner having remained in custody for about 1 year since 2.3.2023, the petitioner is directed to be enlarged on bail in connection with Sakra P.S Case no.102 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Additional Chief Judicial Magistrate XII, East
Muzaffarpur, District- Muzaffarpur.

(Partha Sarthy, J)

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