

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55420 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- HASPURA District- Aurangabad

Md Buland Akhtar Son of Ashique Cheragh Ali R/O Vill.- Purakothi, P.s.-
Kaler, Dist.- Arwal

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Manoj Kumar Singh
For the Opposite Party/s :	Mr.Surendra Kumar
For the O.P. NO. 2 :	Mr. Onkar Kumar
	Mr. Nawal Kishore Singh
	Mr. Ashok Kumar No. 6

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 08-04-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Haspura P.S. Case No. 47/2024 dated 02.03.2024 registered for the offence punishable u/s 365, 302 and 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 29.02.2024 the informant's father Sushil Kumar Singh went out of the house on luna bearing Registration No. BR 26T 4363. Till late evening he did not return to his house. On search of his father, he could not be traced out and his mobile phone (9931742427) was found



switched off. During the course of investigation, the beheaded dead body of Sushil Kumar Singh has been recovered in a sack from the bank of Sone river.

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, the name of the petitioner has sprung up in the confessional statement of the co-accused, Md. Shadab Khan. Learned counsel has submitted that the co-accused, Md. Shadab Khan in his confessional statement disclosed that four months ago he borrowed Rs. one lakh at 10% interest from the deceased but was unable to return the said amount to him for which he hatched conspiracy. He further disclosed that on the alleged date of the occurrence he took the deceased in a poultry farm situated at Hidaychak where he and the co-accused Ehtashan @ Saddam Hussan tied a *gamcha* around the neck of the deceased and killed him and the co-accused Md. Saddam took out the SIM card from the phone of the deceased and kept the mobile with him. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.03.2024.

5. Learned A.P.P. for the State as well as the learned counsel for the informant have vehemently opposed the bail



petition of the petitioner by submitting that the co-accused, Md. Shadab Khan in his confessional statement disclosed that he along with Rajeen Aslam and the petitioner Buland Akhtar threw the dead body of the deceased in Sone river with the intention to destroy the evidence of crime.

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 Court concerned, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 47/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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