

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50924 of 2025

Arising Out of PS. Case No.-133 Year-2019 Thana- SIWAIPATTI District- Muzaffarpur

1. Suresh Prasad Son of Horil Prasad @ Horil Bhagat village - Basudev Chhapra @ Basdeo Chhapra, P.S. -Minapur, Dist. - Muzaffarpur
2. Chandan Kumar son of Suresh Prasad village - Basudev Chhapra @ Basdeo Chhapra, P.S. -Minapur, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners seek regular bail in connection with Siwaipatti P. S. Case No. 133 of 2019 in a case registered for the offences punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

3. Prosecution case, in brief, is that son of the informant was taken to Punjab by these petitioners and other F.I.R. named accused persons to work as a labour with an assurance that he would be paid Rs. 10,000/- per month. On 30.05.2019, all the accused persons, including these petitioners, returned to their houses without his son and when informant



inquired about him, the accused persons only returned his bag and did not say anything specifically. When informant went to Punjab in search of his son, he came to know that he had left with co-accused Arun Kumar on 29.05.2019. Informant suspects that the accused persons usurped wage amount of his son amounting to Rs. 40,000/-, killed him and got the dead body disappeared.

4. Learned counsel for the petitioners submits that from bare perusal of the F.I.R., it would manifest that informant is not an eye witness of the alleged occurrence. Petitioners have been made accused in this case only on suspicion. F.I.R. does not disclose as to who in Punjab told the informant that his son had accompanied with the accused persons as also who returned the bag of deceased to the informant. It is further submitted that similarly situated co-accused, namely, Rajendra Prasad has already been granted regular bail by co-ordinate Bench of this Hon'ble Court *vide* order dated 28.4.2022 passed in Cr. Misc. No. 63066 of 2021. Petitioners claim clean antecedent and are in custody since 09.04.2025.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of allegation, clean



antecedent and period of custody, the bail application is allowed.

Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 20th, Muzaffarpur in connection with Siwaipatti P. S. Case No. 133 of 2019.

(Prabhat Kumar Singh, J)

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