

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57381 of 2015

Arising Out of PS.Case No. -229 Year- 2015 Thana -KANKARBAGH District- PATNA

Sonu Sharma @ Sonu Kumar S/o Dilip Sharma @ Tarivan Sharma R/o vill. - Chandrabigha, P.S. Ben, Distt. - Nalanda at Present House of Dinanath Prasad, R/o Mohalla Ram Nagar, P.S. Jakanpur, Distt. - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Mustaque Alam(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-02-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Kankarbagh P.S. Case No. 229 of 2015 registered for the offence punishable under Section 302 of the Indian Penal Code.

Allegedly, Golu Kumar aged eight years, the son of the informant had gone to coaching near postal Park crossing but did not return. During investigation the dead body of Golu Kumar was recovered near the boundry wall of Chanakya Law Collage and then the informant in his statement stated that the petitioner used to come in his house in his absence which was opposed and then the petitioner has caused threats and it appears that the petitioner

might have killed the son of the informant and threw the dead body.

Submission is of false implication and that besides suspicion there is nothing against the petitioner, earlier the informant has not named the petitioner but later on after recovery of the dead body, named the petitioner due to previous enmity and, as such, there being no legal and cogent material, petitioner deserves sympathetic consideration as he is suffering in custody since 15.04.2015.

The learned A.P.P. after going through the case diary fairly submits that there is no direct evidence against the petitioner.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Additional Sessions Judge, IV, Patna in S. Tr. No. 645 of 2015 arising out of Kankarbagh P.S. Case No. 229 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two

consecutive dates on his part without any reason shall disentitle
the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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