

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2797 of 2018**

Arising Out of PS. Case No.-443 Year-2017 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

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Sonu Kumar, Son of Rajeev Mahto @ Rajiv Kumar, resident of Village-  
Chhapki, P.S.- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sada Nand Roy, Advocate  
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      16-02-2018                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner seeks bail in connection with Muffasil  
  
P.S. Case No. 443 of 2017 registered for the offence punishable  
  
under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
  
that ten named accused persons came and took away her son,  
  
Chhatish Sahani for settling a matter in panchayat. Thereafter,  
  
her son did not return and his dead body was found in a bahiyar.

It has been submitted by the learned counsel for the  
  
petitioner that he is innocent, not named in the First Information  
  
Report and bears no criminal antecedent. His name surfaced on  
  
the confessional statement of co-accused, Santosh Kumar, who



has alleged that the petitioner helped in disposing of the motorcycle of the deceased. He further submits that other co-accused, Gopal Kumar, who was not named in the First Information Report, has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 5263 of 2018 vide order dated 01.02.2018. He submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 10.10.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 443 of 2017, subject to the conditions that:

- (1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating their relationship with the petitioner.



(2) The petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

**(Nilu Agrawal, J.)**

Arjun/-

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