

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.705 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- SONNAGAR RAIL P.S. District- Gaya

KUNDAN KUMAR S/o Dhura Choudhary R/o village- Rasulpur, P.S.-
Rohtas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody seeks bail in a case
registered under Sections 302, 201/34 of the Indian Penal Code.

Informant has alleged in his written complaint that on
28.08.2019 his son after taking lunch left the house but did not
return till evening and thereafter he was searched but could not
be traced out and when contacted on his mobile he said that he
will be coming soon, however, on 29.08.2019 there was no
response. Subsequently the dead body of his son was found
lying near the railway line.

It has been submitted on behalf of petitioner that
petitioner is innocent and has been falsely implicated in this
case on the basis of suspicion only. There is no eye witness to



the occurrence. The incident is of 29.08.2019 whereas FIR was lodged on 12.09.2019. Petitioner has no criminal antecedent and is in custody since 03.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Sone Nagar Railway P.S. Case No. 37 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers



with the evidence or the witnesses of the
case, in that case, prosecution will be at
liberty to move for cancellation of bail of
the petitioner.

(S. Kumar, J)

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