

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.386 of 2020

Arising Out of PS. Case No.-220 Year-2019 Thana- SOHSARAI District- Nalanda

SAHDEO SAO, Son of Late Sukho Sao, Resident of Mohalla- Paripahari
Mansoor Nagar, P.S.- Sohsarai, Distt- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar, Adv.

For the Opposite Party/s : Mr.Ansar Ul Haque, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-05-2020 This has been posted before me for hearing through video-conferencing, under the orders of Hon'ble the Chief Justice, in view of Nation passing through lockdown as an aftermath of the outbreak of COVID-19 pandemic.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302/201/34 of the Indian Penal Code.

Allegation against the petitioner is that he killed the victim by deadly weapon and the dead body was thrown.

It has been submitted on behalf of the petitioner that admittedly FIR has been lodged against unknown persons. The petitioner is an innocent and committed no offence as alleged in



the FIR and he has been falsely implicated in the present case. The petitioner is the father of co-accused Mukesh Kumar who ousted him from his Kirana Shop in 2017 and since then he has no concern with his son and he along with his wife is living separately and engaged in work of selling Bhunja on Thella. He further submits that the police forcibly obtained his signature on typed paper as confessional statement. There is no any evidence against the petitioner rather he has been implicated in this case only on the basis of confessional statement. The petitioner is in custody since 02.09.2019. There is no overt act alleged against the petitioner and there is no allegation of tampering of witnesses alleged against the petitioner.

Learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with Sohsarai P.S. Case No. 220 of 2019 to the satisfaction of the learned C.J.M, Nalanda, subject to the following conditions:

- (1) One of the bailors will be his own blood relative, preferably, father, mother brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar



offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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