

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16509 of 2020

Arising Out of PS. Case No.-15 Year-2019 Thana- BIHARSHARIF RAIL P.S. District- Patna

SUNIL KUMAR S/o Late Baleshwar Ram R/o village- Mitwan, P.S.- Silao,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prasad Singh

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-06-2020 The petitioner, who is in custody since 09.11.2019, seeks bail in connection with Rail P. S. Case No. Biharsharif (Rajgir) P.P. Case No. 15/19 dated 06.11.2019 instituted for the offences under Sections 302, 201 and 34 of the Indian Penal Code.

The father of the informant was found dead on the road. From his pocket, a suicide note was recovered. The informant has categorically stated that the aforesaid suicide note appears to have put in the pocket of the deceased and is not in the hand-writing of the deceased. The suicide note talks about one Sunaina Devi. The memo of evidence on which remand of the petitioner in



this case was sought indicates that there was a telephonic talk between the deceased and the petitioner and the tower location of the petitioner was somewhere near the dead body.

From the perusal of the impugned order, it appears that the tower location of the mobile phone of the petitioner and of Sunaina Devi was found to be near the place of occurrence. There is a confession of the driver of the petitioner as also one Ganga Barla who has named the petitioner as one of the participants in the crime. There is a recovery of a weapon of assault also on the confession made by the aforesaid Ganga Barla. These materials are not, it has been urged, sufficient to conclusively point towards the petitioner.

The petitioner is stated to be a person of clean antecedents.

Considering the nature of accusation against the petitioner which is based on call detail report and suspicion and the period of custody, he is directed to be



released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Patna in connection with Rail P. S. Case No. Biharsharif (Rajgir) P.P. Case No. 15/19.

(Ashutosh Kumar, J)

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