

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19804 of 2020**

Arising Out of PS. Case No.-160 Year-2019 Thana- GOPALPUR District-
Patna

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Sunny Kumar @ Sunny Sanki Son of Bablu Prasad Yadav @ Bablu Prasad
Resident of Village- Sripathpur, near Primary School, Police Station-
Gopalpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bindhayachal Singh, Advocate

For the State : Mr. Maduranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

5 14-10-2020

Heard learned counsel for the petitioner and learned
APP for the State through video conference. Learned counsel for
the petitioner undertakes that all defects pointed out by the
stamp reporter shall be removed, and compliance with the
conditions of the notices of this Court with regard to acceptance
of e-filing shall be made, without delay immediately upon
resumption of normal physical functioning of the Court, and in
any event within one month thereof. Learned counsel for the
State states that he has no objection in this regard and the matter
be taken up on merits in view of the stated urgency.

2. The petitioner, who is in custody since 26.06.2019,
has renewed his prayer for bail in connection with Gopalpur P.S.
Case No. 160 of 2019 having earlier been rejected by order dated



20.11.2019 in Cr. Misc. No. 59481 of 2019 for the offences alleged under Sections 302/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with murder of the informant's nephew Ankit Kumar. It is submitted that the petitioner is not named in the F.I.R. and there are no eye witness to the occurrence. As such, except suspicion, there is no objective material to connect the petitioner with the alleged occurrence. Charge sheet has been submitted and there is no chance of tampering with the evidence. Similarly situated co-accused Ravi Kumar, Ravinder Kumar Yadav and Vishal Kumar @ Vishal Kumar Yadav have been granted anticipatory bail by this Court in Cr. Misc. No. 81271 of 2019 and Cr. Misc. No. 62937 of 2019 respectively. The case of the petitioner stands on better footing than the aforesaid co-accused Vishal Kumar Yadav against whom there is direct allegation of pressing the neck of the deceased. The petitioner claims clean antecedents.

4. Learned APP appears but has not pointed out any specific adverse material against the petitioner in the case diary.

5. Be that as it may and having regard to the period of custody already suffered since 26.06.2019, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J. XXVI, Patna, in connection



with Gopalpur P.S. Case No. 160 of 2019, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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