

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55614 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

SURAJ KUMAR Son of Ashish Sharma Resident of Village - Milki Mahuari /
Mahwari Milki, P.S.- Islampur, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 05-02-2020 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 364, 302/201 of the Indian Penal Code.

Petitioner had earlier moved this Court for regular bail
vide Cr. Misc. No. 69530 of 2018 which was rejected on
21.12.2018.

Informant has alleged in his fardbeyan that on
14.05.2018 his daughter left her home telling her mother that
she is going to bank but thereafter she did not return and he
suspected that petitioner, his son-in-law has enticed away her
daughter and before the police authorities he confessed that he
has killed Rubi Kumari and concealed her dead body and
thereafter from said place the dead body was recovered.

It has been submitted on behalf of petitioner that he is



innocent and has been falsely implicated in this case on the basis of suspicion only. There is no eye witness of the occurrence. Petitioner has no criminal antecedent and is in custody since 17.05.2018. The charges have already been framed and witnesses are being examined by the trial court. His confession before the police has no evidentiary value and the allegation that the dead body was recovered on his confession is not true. No motive or reason have been assigned as to why he will commit said murder when relations were cordial and intimate between petitioner and deceased.

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 Sessions Trial No. 298/18/137/18 arising out of Makhdumpur P.S. Case No. 151 of 2018 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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