

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35933 of 2021

Arising Out of PS. Case No.-32 Year-2020 Thana- BIDUPUR District- Vaishali

Md Sonu, Male, aged about 22 years, Son of Md. Majid @ Masid Resident of Village - Samanpura, Police Station - Shastrinagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-12-2021 Heard learned counsel for petitioner and learned counsel for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Bidupur PS Case No. 32 of 2020, corresponding to GR No. 403 of 2020, instituted for the offence under Sections 302 and 120B/34 of the Indian Penal Code.

Earlier, the prayer for bail of the petitioner was rejected by this Court by order dated 12.11.2020 passed in Cr. Misc. No. 27357 of 2020 vide Annexure-1.

As per prosecution case the informant's son had gone to



sleep in the Poultry Farm with other co-accused persons (his friends) including one Yadav Jee. He has been found murdered with his throat slit next morning. Petitioner's implication was based on the confessional statement of co-accused, namely Yadav Jee. Considering this fact that Yadav Jee had submitted about pending dispute between the deceased and the petitioner, prayer for bail was earlier rejected.

Petitioner's counsel submits that co-accused Yadav Jee @ Yadav @ Bappi Kumar Singh has been allowed bail in Cr. Misc. no. 40062 of 2020. The submission is that on the ground of parity also the petitioner having a better case be allowed the privilege of bail, keeping in view the period of custody, which has substantially increased in the meantime. The petitioner is stated to be in custody since 13.05.2020.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur PS Case No.32 of 2020, corresponding to GR No. 403 of 2020 subject to the



following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

U		T	
---	--	---	--

