

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35999 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- JAMALPUR District- Munger

SHUDHANSHU KUMAR @ BHIM KUMAR Son of Late Sudhir Kumar @
Sudhir Yadav Resident of Village - Sinhiya, P.S. - Naya Ram Nagar,
(Safiyabad/Safiya Sarai), District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-03-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Jamalpur P.S. Case No. 74 of 2020, registered for the offence punishable under Sections 363, 364, 302, 201, 120B and 34 of the Indian Penal Code.

The allegation is regarding the son of the informant having left his house on his three wheeler, however, when he did not return home till night, search was made and subsequently, his dead body was recovered.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 09.07.2020. It is further submitted that the petitioner is not named in the FIR and he has been roped in the present case merely on suspicion. It is also submitted that charge-sheet has already been filed in the present case, hence, no prejudice would be caused to the prosecution, in case the petitioner is granted bail.

Per contra, the learned APP for the State, Sri Damodar Prasad Tiwary, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also those available in the case diary, this Court finds that there is minuscule evidence available in the case diary so as to connect the petitioner with the alleged



crime and he has been roped in the present case merely on suspicion, hence, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Munger in connection with Jamalpur P.S. Case No. 74 of 2020.

(Mohit Kumar Shah, J)

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