

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40500 of 2020**

Arising Out of PS. Case No.-157 Year-2020 Thana- DEEPNAGAR District- Nalanda

SUNIL KUMAR son of Ayodhya Kewat Resident of Mohalla- Bari Takiya  
Kala, P.S. Deepnagar, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Sinha

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      23-03-2021                      Heard counsel for the petitioner, counsel for the  
informant and the State.

The petitioner seeks bail in Deepnagar P.S. Case No.  
157 of 2020, registered for the offence punishable under  
Sections 341, 323, 302, 120(B) and 34 of the Indian Penal Code  
and section 27 of the Arms Act.

As per the prosecution case, on 10.06.2020 at 7.00  
pm, brother of informant Prahlad had gone with the co-accused  
Satya Kumar and Anandi Kumar but he did not return. Later on,  
during search, brother of informant was found dead near Surya  
Mandir. Informant has suspected that FIR named accused  
persons and this petitioner committed murder of his brother  
Prahlad due to some money transaction.

It is submitted on behalf of the petitioner that



petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case. Petitioner has been made accused in this case merely on suspicion. Save and except suspicion, there is no material to connect the petitioner with the aforesaid crime. Petitioner is in custody since 26.06.2020 having clean antecedent as stated in para 3 of the petition. Chargesheet has already been submitted.

However, counsel for the informant vehemently opposed the prayer for bail and submitted that during course of investigation it has come that deceased had given some loan on 20% interest to this petitioner, but he could not return the same to the deceased Prahlad Kumar and he had to execute registry of one Kattha of land in favour of the deceased, therefore, petitioner along with other co-accused committed murder of Prahlad.

Considering the facts and circumstances of the case and the fact that save and except suspicion there is no material against this petitioner, the petitioner above-named, is directed to be enlarged 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, Nalanda at Biharsharif in connection with Deepnagar P.S. Case No. 157 of



2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

**(Prabhat Kumar Singh, J)**

vinita/-

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