

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6387 of 2021

Arising Out of PS. Case No.-109 Year-2013 Thana- PUNPUN District- Patna

SUNIL KUMAR S/o Surendra Ram R/o Mohalla- Raja Bazar, P.S.- Airport,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-05-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Punpun P.S.
Case No.109 of 2013 registered for the offence punishable
under Sections 302 and 201 of the Indian Penal Code.

As per the allegation in the FIR, the dead body of the
victim was discovered and it was identified by her mother as
being that of her 22 year old daughter. The FIR was registered
against unknown.

Learned counsel for the petitioner submits that the
petitioner is quite innocent and has been falsely implicated in
this case. He was not named in the FIR and the same was
lodged against unknown. The name of the petitioner transpired
in the extra judicial confession of accused Sunny Kumar before



the police. The said Sunny Kumar has been acquitted vide judgment dated 31.3.2017 passed in Sessions Trial No.932 of 2014. It is further submitted that the petitioner had no information about his name transpiring on the confessional statement of the co-accused. It is further submitted that similarly situated co-accused persons namely Bittu Kumar and Chandan Kumar @ Gobhi have been granted bail vide orders dated 19.10.2020 and 08.01.2021 passed in Cr. Misc. No.27710 of 2020 and Cr. Misc. No.29396 of 2020 respectively by co-ordinate Bench of this court. The petitioner has no criminal antecedent and has been languishing in custody since 14.02.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Masaurhi, Patna in connection with Punpun P.S. Case No.109 of 2013.

In view of the fact that the trial of one of the co-accused has already concluded, it is directed that the petitioner shall remain personally present in Court on each date and in case of



his absence on any date for reasons not to the satisfaction of the
learned court below, his bail bond shall be cancelled and he
shall be taken into custody till conclusion of the trial.

(Anjani Kumar Sharan, J)

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