

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45521 of 2021**

Arising Out of PS. Case No.-173 Year-2019 Thana- NAGARNAUSA District- Nalanda

SUNIL KUMAR @ SUNIL KUMAR YADAV @ SUNIL SINGH Son of Lala Singh @ Lal Babu Yadav Resident of Village - Jagubigha, P.S.- Fatuha, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

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

4      20-01-2022                      Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code.

As per the prosecution case, on 28.12.2019 at 7.00 PM this petitioner and Sanjeet Kumar came to informant's house and called his son Kamlesh to accompany them and his son did not return till late night. On the next day, dead body of informant's son was recovered near Tal.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case only on suspicion on the basis that he and co-accused, Sanjit Kumar asked the deceased to accompany them. There is



no eye witness on the point of commission of murder. During the course of investigation no material has been collected to show that there was enmity between the petitioner and the deceased. Similarly situated accused Sanjeet Kumar has already been granted bail by a co-ordinate Bench of this court vide order dated 23.12.2021 passed in Cr. Misc. No. 23018/2021. Petitioner is in custody since 29.02.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Nagar Nausa PS case No.173/2019.

**(Prabhat Kumar Singh, J)**

BKS/-

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