

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50628 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- SONPUR RAIL P.S. District- Saran

VINIT KUMAR @ KANHAIYA KUMAR S/o Prabhunath Singh R/o
Village- Rasalpura, P.S.- Doriganj, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anant Kumar Bhaskar
For the Opposite Party/s :	Mr. Rajesh Roy
	Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-01-2022 Heard learned counsel for the petitioner and the State.
The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302/201/34 of the Indian Penal Code.

As per the prosecution case, on 25.02.2021 a phone call was received from an unknown number to the grand son-in-law Krishna Pratap Singh that accident of Sujit has taken place and on such family members proceeded for searching. Near Rajendra College, Chapra this petitioner along with 2- 3 others handed over dead body of Sujit to his brother after getting down from an ambulance. The dead body was cut in three pieces. This petitioner apprised that Sujit had met with an accident due to falling from train. The informant suspected that this petitioner along with other accused persons killed Sujit by throwing him on rail track.

Learned counsel appearing for the petitioner submits



that petitioner is innocent and has falsely been implicated in the case. There is no eye witness of the occurrence and only suspicion has been raised against this petitioner. No motive has been alleged against this petitioner for killing the deceased. Even if the allegation is taken to be true, the conduct of this petitioner negates the allegation as after committing murder of any person the killer would not carry the dead body and hand over the same to the inmates. It is further submitted that post mortem report also does not corroborates the allegation as the doctor found that deceased died due to train accident. Petitioner claims clean antecedent and is in custody since 26.02.2021 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 Railway Judicial Magistrate, Sonapur, Saran at Chapra in connection with Sonapur Rail PS case No.24/2021.

(Prabhat Kumar Singh, J)

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