

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5180 of 2023

Arising Out of PS. Case No.-1108 Year-2019 Thana- NAGAR District- Vaishali

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Sonu Kumar S/O Chotelal Ram Resident Of Village- Karwa, P.S.-
Bhagwanganj, District- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302,
201/34 of the Indian Penal Code.

As per prosecution case, as per FIR is that son of
the informant namely, Rajan Kumar proceeded for Hajipur
from his motorcycle. It is further alleged that co-accused
villager Jay Prakash Rai had seen the son of the informant
talking with petitioner and other FIR named accused
persons and when said Jay Prakash Rai told as to why is
standing there, son of the informant told that all the FIR



named accused persons have prevented him. Later on, in the evening, the dead body of son of the informant was found under Hajipur Police Station.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of the co-accused Kundan Kumar, which has got no evidentiary value in the eye of law. There is general and omnibus allegation against the petitioner. It is further submitted that there is no eye witness of the present case. Similarly situated co-accused Chandan Kumar has already been granted bail by this Court vide order dated 20.02.2023 passed in Cr. Misc. 58330 of 2022. Petitioner is languishing in judicial custody since 30.07.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur P.S. Case No.



1108 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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