

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12077 of 2023

Arising Out of PS. Case No.-63 Year-2021 Thana- PHULWARIA District- Begusarai

1. Sonu Kumar, aged about 26 years (M),
2. Guddu Kumar @ Sanny Kumar, aged about 24 years, both son of Dharmendra Kumar Sah,
All resident of village- Baro Tetariya Tola, Ward No.- 7, P.S.- Phulwaria,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP
For the Informant	:	Mr. Rudal Singh, Advocate
		Mr. Pramod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State and learned counsel for the informant.

2. The petitioners seek bail in connection with Phulwaria PS Case No. 63 of 2021 dated 12.04.2021, instituted for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The informant alleges that his second son was killed by some unknown persons. The informant raised suspicion that the petitioners and his father have killed his son on account of land dispute.



4. Learned counsel for the petitioners submits that from bare perusal of the allegation made in the FIR, it is apparent that entire allegation is based on suspicion. Learned counsel further submits that the father of the petitioners, namely, Dharmendra Kumar Sahu has been granted bail by a co-ordinate Bench of this Court on 03.02.2022 vide Cr. Misc. No. 51168 of 2021. Learned counsel further submits that the petitioners are in custody since 06.01.2023 having clean antecedents.

5. Learned APP as well as learned counsel for the informant has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties as also the fact that similarly situated co-accused has been granted bail by a co-ordinate Bench, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-1, Begusarai, in Phulwaria PS Case No.63 of 2021.

(Khatim Reza, J)

J. Alam/-

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