

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27799 of 2023

Arising Out of PS. Case No.-387 Year-2022 Thana- SONBERSA District- Sitamarhi

Lalit Kumar Son of Hruday Thakur @ Hruday Sharma At Ro and PO- Araria
Ps- Kahanauli Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sita Ram Prasad, Advocate

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with Sonbarsa
P.S. Case No.387 of 2022 registered for the offence under
Sections 386, 302, 201 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 20.12.2022.

The allegation against the petitioner is to commit
murder of the son of informant alongwith other co-accused
persons, when son of informant refused to pay extortion money
as raised by co-accused persons including petitioner.

Learned counsel appearing on behalf of the petitioner



submitted that from the narration of F.I.R. itself, it appears that save and except suspicion nothing surfaced against this petitioner. It is also submitted that dead body of the son of informant recovered from an open place easily accessible by general public, where nothing surfaced during the course of investigation except confessional statement as to connect this petitioner with the present occurrence of murder. It is submitted that petitioner alongwith other co-accused persons being friend usually visited the house of informant, therefore false allegation of extortion was raised just to aggravate the allegation. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as save and except suspicion and confessional statement nothing incriminating surfaced during the course of investigation, which may connect this petitioner with the present occurrence of murder coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since



20.12.2022, let above named petitioner is directed to be released on bail in connection with Sonbarsa P.S. Case No.387 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Sitamarhi/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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