

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 26513 of 2023

Arising Out of PS. Case No.-43 Year-2022 Thana- SAHPUR District- Patna

Munna Kumar Son of Sri Daroga Rai Resident of village-Sherpur, P.S.-
Maner, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bipin Chandra, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Shahpur
P.S. Case No. 43 of 2022 dated 02.02.2022, instituted for the
offence punishable under Sections 302, 120(B)/34 of the Indian
Penal Code and 27 of the Arms Act.

3. The prosecution case, in short, is that on 31.02.2022,
the father of the informant along with one Devendra Rai had gone
out of the house at 01.30 P.M., but they did not return in the night,
so the informant and other family members had made a search in
the morning and subsequently, the dead bodies of the father of the
informant and Devendra Rai were found. The informant has
named eight accused persons being complicit in the alleged crime.
It is further alleged that Santosh Rai, Manju Rai and Dhananjay



Rai had earlier threatened the father of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R., and his name is transpired in this case only on the basis of confessional statement of one Satendra Rai. Learned counsel for the petitioner further submits that similarly situated other accused persons have been granted bail by different Co-ordinate Bench of this Court, which are mentioned in Annexure-2 (series). Learned counsel for the petitioner submits that nothing incriminating has been recovered from the possession of petitioner. Learned counsel for the petitioner also submits that co-accused namely, Amarjeet Kumar, Satendra Kumar and Nirmal Kumar have been granted bail by the learned court of A.D.J.- VI, Danapur in Sessions Trial No. 703 of 2022. Lastly, it has been submitted that the petitioner is in custody since 13.06.2022 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Danapur, Patna in Shahpur P.S. Case No. 43 of 2022.

(Khatim Reza, J)

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