

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29611 of 2023

Arising Out of PS. Case No.-633 Year-2022 Thana- BARHARA District- Bhojpur

SONU NAT Son of Brij Kishore Nat Resident of village - Saraiya Nat Toli,
P.S. - Barhara (Krishngarh), Distt. - Bhojpur, Bihar - 802313

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 11-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with Barhara (Bhojpur) P.S. Case No. 633 of 2022 registered for the offence under Section Sections 120-B, 302, 201/34 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is in custody since 28.09.2022.

4. The allegation against the petitioner is to commit murder of grand-son of informant alongwith 8 named co-accused persons by slitting throat using sharp-edged cut weapons, where occurrence arises out of previous enmities.

5. Learned counsel appearing on behalf of the petitioner submitted that informant is not the eye witness of the



occurrence and if narration of F.I.R. be taken into consideration, save and except suspicion, nothing incriminating appears against this petitioner. It is submitted that with the same set of allegation co-accused Mukesh Nat and Bhola Nat have already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 9454 of 2023 and 17327 of 2023 vide order dated 16.05.2023, respectively. It is submitted that nothing incriminating appears during the course of investigation as to connect this petitioner with present occurrence of murder. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion nothing incriminating appears against this petitioner, where informant is not the eye witness of the occurrence coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 28.09.2022, accordingly, above named petitioner is directed to be released on bail in connection with Barhara (Bhojpur) P.S. Case No. 633



of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Arrah/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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