

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36752 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- MEHANDIGANJ District- Patna

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SUNNY KUMAR S/O ANIL PRASAD @ ANIL KUMAR R/O Village-
Bahari Begumpur Marraipar, P.S- Bypass, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Chaudhary

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302, 201 and 34 of the
Indian Penal Code.

The prosecution case, in short, is that on 19.09.2022,
the informant, on the basis of received information, found a
dead body lying in Galla (Jalkumbhi) at Bena Sah ke Bag and
his head was covered with plastic sack.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
the same has been lodged against unknown person. He
submitted that during investigation, the petitioner has been



implicated in the present case only on the basis of confessional statement of one co-accused Pawan Kumar, which has no evidentiary value in the eyes of law. No incriminating article has recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 24.06.2023 passed in Cr. Misc. No. 34628 of 2023. He is languishing in judicial custody since 28.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Patna City, Patna in connection with Mehandiganj P.S. Case No. 148 of 2022.

(Sunil Kumar Panwar, J)

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