

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44537 of 2023**

Arising Out of PS. Case No.-80 Year-2022 Thana- ATRI District- Gaya

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Sandeep Kumar Son Of Ram Brikash Prasad @ Ram Vriksh Mahto Resident  
Of Village-Sundra, P.O. And P.S.-Roh, District-Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Pandey

For the Opposite Party/s : Mr.Shantanu Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      28-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail in a case  
registered for the offence punishable under sections 302 and  
201 of the Indian Penal Code.

Allegation against the co-accused persons including  
this petitioner committed murder of the husband of the  
informant in the background of matrimonial discord.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He has  
falsely been implicated in this case merely on suspicion. The  
petitioner is not named in FIR rather his name came into light in  
this case during the course of investigation. It is further  
submitted from para-12 of this petition that the petitioner and



co-accused are best friend for more than 15 years and due to that reason while they were going to the house of co-accused, namely, Amit Kumar, the petitioner had only given his mobile to co-accused, namely, Amit Kumar to call someone because his mobile was switched off and only on that basis, the name of the petitioner has been dragged in this case. It is also submitted that except this, nothing concrete evidence has come against him to implicate in this alleged offence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent and he is languishing in judicial custody since 03.09.2022. Moreover, similarly situated other co-accused person who was named in FIR, has already been granted bail by the co-ordinate Bench of this Court vide order dated 24.07.2023. in Cr. Misc. No. 33174 of 2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Atri P.S. Case No. 80 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with



two sureties of the like amount each to the satisfaction of  
learned Additional Sessions Judge-XII, Gaya.

**(Sunil Kumar Panwar, J)**

Shubham/-

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