

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61863 of 2022

Arising Out of PS. Case No.-577 Year-2017 Thana- MASAUDHI District- Patna

Sunil Kumar, aged about 29 years, Male, S/O Late Parshuram Singh R/v-
Malikana @ Malkana, P.S.- Masaurhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Naresh Ray, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 06-02-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Masaurhi P.S.
Case No. 577 of 2017 corresponding to G.R. No. 1327 of 2017
registered for the offence punishable under Section 302, 120(B)/34 of
the Indian Penal Code (for brevity 'IPC').

The allegation against the petitioner is that in conspiracy with
the victim elder sister Gulshan Khatoon, the petitioner along with co-
accused Suraj and Raja have killed the younger sister Roshani
Khatoon.

The learned counsel for the petitioner submits that the
informant is not an eye witness based on suspicion after recovery of
the dead body from the house of co-accused Munna all the accused
persons have been implicated. Similar situated co-accused, namely,
Suraj Kumar and Gulshan Khatoon and Mumtaj Ansari have been
allowed bail in Cr. Misc No. 47976 of 2018, 34956 of 2018 & 7232
of 2021 respectively. Co-accused Suraj and co-accused Raja in their
confessional statement have levelled allegation against each other of



firing upon the deceased. Petitioner's name have dragged merely on suspicion and he is in custody since 16.05.2022. The petitioner has no criminal antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Masaurhi, District-Patna, in connection with Masaurhi P.S. Case No. 577 of 2017 corresponding to G.R. No. 1327 of 2017, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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