

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5744 of 2023

Arising Out of PS. Case No.-120 Year-2016 Thana- NOORSARAI District- Nalanda

Sintu Kumar @ Santu Kumar Son Of Umesh Gop R/O Village- Chandasi,
P.S.- Noorsarari, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad
For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-07-2023 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 34 of the Indian Penal Code.

Allegation against the petitioner along with his wife, namely Rinki Kumari is that they committed murder of the informant's son due to land dispute between both the parties.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He is languishing in judicial custody since 6.7.2022. The petitioner has falsely been implicated in this case only on the basis of confessional statement of other co-accused person before the



police. It is further submitted that although the petitioner is named in F.I.R. but nothing consistent evidence has come against him. It is also submitted that neither any specific allegation has been levelled against him nor any eye witness has come who said that the petitioner committed murder of the informant's son rather only hearsay evidence available and on the basis of last scene he has been implicated in this case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person, namely Rinki Kumari Devi who is the wife of this petitioner, has already been granted bail by the different co-ordinate Bench of this Court vide order dated 20.05.2019 in Cr. Misc. No. 17892 of 2019.

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 Noorsarai P.S. Case No. 120 of 2016 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-II,
Biharsharif, Nalanda.

(Sunil Kumar Panwar, J)

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