

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67239 of 2022**

Arising Out of PS. Case No.-71 Year-2022 Thana- ARARIA District- Araria

Sachin Kumar Son of Dayanand Yadav R/O Vill.- Gaiyari, P.S.- Araria, Distt.-
Araria

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 24-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Araria
P.S. Case No. 71 of 2022 registered for the offence under
Sections 302, 201, 120(B) and 34 of the I.P.C.

The accused/petitioner is not named in the F.I.R. and
is in custody since 04.08.2022.

The allegation against the petitioner is to commit the
murder of brother of the informant alongwith other co-accused
persons by means of assaulting with piece of bricks, where
dispute is founded over previous enmities arises out of love
affairs of the co-accused, namely, Bharat Kumar.



Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Sumit Kumar in furtherance of which no incriminating material recovered/surfaced during the course of investigation, which may connect petitioner, *prima facie*, with the present set of murder. It is further submitted that said Sumit Kumar has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 54172 of 2022 vide order dated 16.12.2022. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of the fact as no incriminating material recovered/surfaced to connect this petitioner, *prima facie*, with the present set of occurrence, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Araria P.S. Case No. 71 of 2022 on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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