

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75899 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- KHARHAGPUR District- Munger

Shashikant @ Sanjay Kumar Raut son of Prithwi Lal Kaut Village- Near
Compu Railway Hospital Ps- East Colony Jamalpur Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Rakesh Kumar, Advocate
For the State : Mr. Binod Kumar No. 3, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Session Trial No. 281 of 2023 corresponding to G.R. No. 479 of
2023 arising out of Kharagpur P.S. Case No. 02 of 2023
instituted for the offence under Sections 302 of the Indian Penal
Code.

3. The prosecution case, in short, is that in the night
of 31-12-2022, the informant was sleeping along with her
husband in her house and when she woke up, she did not find
her husband on the bed. A search was made but in vain.
Subsequently, she came to know that the dead body of her
husband was lying in a pond.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22-01-2023, and have no criminal antecedents.

5. Learned counsel for the petitioner further submits that petitioner is not named in the F.I.R. and his name has transpired on confessional statement. Other co-accused person has been granted bail by a Co-ordinate Bench of this Court vide order dated 06-10-2023 passed in Cr. Misc. No. 63051 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.T. No. 281 of 2023 arising out of Kharagpur P.S. Case No. 02 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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