

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.748 of 2023

Arising Out of PS. Case No.-78 Year-2015 Thana- SHRI NAGAR District- Madhepura

MD. SANULLAH @ MD. SANAULLA @ MD. SANAULLAH @
SANAULLAH S/o Late Abdul Salam @ Late Md. Halim @ Late Salam R/v-
Maharampur (Moharampur), Ward No. 15, P.S.- Jadiya, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201, 34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 11.10.2022 and is a person with
clean antecedent.

Learned counsel for the petitioner submits that
similarly situated co-accused Md. Barik, Md. Rahman and Md.
Khalid have been granted anticipatory as well as regular bail. It
is next submitted that Md. Barik was granted anticipatory bail
by order dated 06.07.2017 in Cr. Misc. Case No. 18026 of 2017,



Md. Rahman was granted anticipatory bail by order dated 12.05.2016 in Cr. Misc. Case No. 8905 of 2016 and Md. Khalid was granted regular bail by order dated 18.10.2016 in Cr. Misc. Case No. 33371 of 2016.

Learned counsel for the petitioner next submits that the petitioner is similarly situated like Md. Barik and Md. Khalid and it has been alleged in the FIR by the informant that his brother was killed by the aforesaid accused persons including the petitioner though the informant is not an eye-witness to the occurrence.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the similarly co-accused has been granted anticipatory and regular bail, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Srinagar P.S. Case No. 78 of 2015.

However, it is made clear that in the event, if the learned Trial Court comes to a conclusion that petitioner after his release is trying to delay his trial in any manner, the learned



Trial Court shall be at liberty to cancel his bail bonds forthwith
after recording reasons.

(Satyavrat Verma, J)

Adnan/-

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