

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8684 of 2024

Arising Out of PS. Case No.-433 Year-2022 Thana- BELHAR District- Banka

Sudhir Pal @ Sudhir Bhagat Son of Sahdeo Pal Resident of Village-
Lakhanpur, P.S.-Jamui, Distt.-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-02-2024

1. Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing
on behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Belhar P.S. Case No.
433/2022 registered for the offences punishable under Sections
364 and 302 of the Indian Penal Code.

3. The allegation against this petitioner is to commit
murder of son of informant after kidnapping alongwith other co-
accused persons and threw the dead body in Belharna Dam.

4. Learned counsel appearing on behalf of the
petitioner submitted that informant is not an eye witness of the
occurrence. It is submitted that dead body of the deceased was
found by the police on 06.06.2022 and thereafter complaint
petition against the petitioner and others was filed after delay of
10 days of the recovery of dead body. It is further submitted that



the petitioner has been made accused only on the basis of suspicion due to previous dispute over fetching water from tubewell and except this, there is no other material to show involvement of this petitioner in this case. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as save and except suspicion, *prima facie*, nothing incriminating appears against this petitioner, couple with the fact that petitioner is a man of clean antecedent, accordingly, the above named petitioner, in the event of his arrest or surrender before the learned trial Court within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka/concerned Court, where the case is pending in connection with Belhar P.S. Case No. 433 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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