

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5736 of 2024

Arising Out of PS. Case No.-451 Year-2023 Thana- SURSAND District- Sitamarhi

Vidyanand Kumar S/O LAL BAHADUR RAY VILLAGE- MARUKI, PS.-
SURSAND, DIST. SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 10999 of 2024

Arising Out of PS. Case No.-451 Year-2023 Thana- SURSAND District- Sitamarhi

Suresh Sahni Son of Late Harak Sahni R/o Village- Maruki, P.S.- Sursand,
Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 5736 of 2024)
For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Pramod Kumar Pandey
For the Informant : Mr. Santosh Kumar, Advocate
(In CRIMINAL MISCELLANEOUS No. 10999 of 2024)
For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Shailendra Kumar
For the Informant : Mr. Santosh Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 08-04-2024

ORDER PASSED
IN
CR. MISC. NO.5736 OF 2024

Heard learned counsel appearing on behalf



of the parties.

2. The petitioner seeks bail in connection with Sursand P.S. Case No.451 of 2023 registered for the offence under Sections 302/363/201/120B/34 of the Indian Penal Code.

3. Allegation against the petitioner is to have committed murder of son of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that no allegation as regard overt act has been levelled against this petitioner. It is submitted that there is no eye-witness to the present occurrence and this petitioner has been implicated in the present case on the basis of 'last seen' with the deceased. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 18.06.2023.

5. Learned APP appearing for the State duly assisted by learned counsel for the informant, opposes the prayer for bail of the petitioner.

6. In view of the allegations, as made above, and as it appears from perusal of FIR, impugned order, case diary that this petitioner was 'last seen' with the deceased, namely, Mundrika Kumar, near the bridge for the purpose of



walking and as it appears from case diary that the accused persons after committing murder of the deceased, buried the dead body in the paddy field and during course of investigation on the basis of confessional statement of Chandan Sah, Jilajit Sahni and Rahul Kumar, recovered the dead body of the deceased from the field and also it appears from FIR and case diary there is direct involvement of the petitioner in the present occurrence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. The learned Trial Court is directed to conclude the trial of this case within a period of one year, from the date of receipt of a copy of this order and if the trial of this court could not be concluded within specified period, then this petitioner may renew his prayer for bail before the trial court itself.

ORDER PASSED

IN

CR. MISC. NO.10999 OF 2024

Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with



Sursand P.S. Case No.451 of 2023 registered for the offence under Sections 302/363/201/120B/34 of the Indian Penal Code.

3. Allegation against the petitioner is to have committed murder of son of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that no allegation as regard overt act has been levelled against this petitioner. It is submitted that nothing incriminating articles have been recovered against this petitioner, during course of investigation, which may connect him with the present set of occurrence. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 18.06.2023.

5. Learned APP appearing for the State duly assisted by learned counsel for the informant, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and as nothing incriminating has been recovered against this petitioner, during course of investigation, which may connect him with the present set of occurrence, let the petitioner, above named, is directed to be released on bail in connection with Sursand P.S. Case No.451



of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sitamarhi/concerned Court.

(Ramesh Chand Malviya, J)

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