

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29435 of 2024

Arising Out of PS. Case No.-891 Year-2023 Thana- ALAMGANJ District- Patna

Sunil Kumar @ Sunil Patel S/o Suresh Prasad Mahto R/o Mohalla Gur Ki
Mandi, Rajput Toli, P.S. - Alamganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Singh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Alamganj P.S. Case No. 891 of 2023 instituted for the offences
under Sections 302, 120B/34 of the Indian Penal Code.

3. Prosecution case in a nutshell is that daughter of the
informant was done to death at her matrimonial house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is the husband of the deceased and there
is no specific allegation levelled against him. From perusal of
the Postmortem report, it appears that the cause of death is
asphyxia due to hanging. He further submitted that after



investigation, the police has submitted charge-sheet under Section 306/34 of the IPC. Moreover, it is submitted by learned counsel for the petitioner that the other co-accused namely Suresh Prasad Mahto @ Suresh Prasad @ Suresh Mahto has already been granted bail by this Bench vide order dated 06.03.2024 passed in Cr. Misc. No. 13854 of 2024. The petitioner is in custody since 29.09.2023 and has no criminal antecedent.

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

6. Considering the facts and circumstances of the case, the period of custody undergone by the petitioner and the fact that charge-sheet has been submitted under Section 306/34 of the IPC, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail **after framing of charge, if already not framed**, 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 Alamganj P.S. Case No. 891 of 2023.

(Rudra Prakash Mishra, J)

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