

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24906 of 2024

Arising Out of PS. Case No.-131 Year-2023 Thana- SUPAUL District- Supaul

Subodh Sharma son of Raju Sharma Resident of Muhalla- Nagar Parisad
(Ward No.-26), P.S.- Supaul, Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Supaul
P.S. Case No. 131 of 2023 instituted for the offences under
Sections 302, 120B and 34 of the Indian Penal Code.

3. The prosecution case in short is that the marriage of
the Informant's brother (deceased) was solemnized with one
Reena Kumari and out of that wedlock, two children were born.
It is further alleged that her sister-in-law had developed illicit
relationship with one Binod Kumar Paswan. It is further alleged
that on 19.02.2023, the Informant heard gunshot near her house
and when she came out, she found her brother lying on the road
in injured condition and his clothes were soaked in blood. The



Informant surmises that her sister-in-law and Binod Paswan along with other persons had hatched a conspiracy and killed her brother.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case on the basis of suspicion. The petitioner is not named in the F.I.R. and during investigation, he name has surfaced in this case on the basis of confessional statement of other co-accused namely Suman Kumar and Md. Gulsher. There is no eye-witness in this case and also there is no specific allegation of any overt act against the petitioner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 24.05.2023. Learned counsel for the petitioner again submits that the co-accused Sumit Kumar Singh has been granted bail by this Court vide order dated 20.02.2024 passed in Cr. Misc. No. 75313 of 2023.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Supaul P.S. Case No. 131 of 2023.

(Rudra Prakash Mishra, J)

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