

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26379 of 2024

Arising Out of PS. Case No.-238 Year-2023 Thana- BYPASS District- Patna

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Suraj Kumar, Male, aged about 25 years, S/o Raju Kevat Resident of village
Karmalichak PS Bypass District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Kalyan Shankar

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

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bypass
P.S. Case No. 238 of 2023 instituted for the offences punishable
under Sections 302, 201/34 of the Indian Penal Code.

3. As per the prosecution case, a dead body of a
unknown lady was lying at the coast of Nala near gas agency.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere



suspicion. Petitioner is not named in the FIR and no incriminating article has been recovered from the possession of the petitioner. There is vague and omnibus allegation that some unknown persons killed the deceased and threw the body in to a Nala. Petitioner has not been arrested at the place of occurrence rather the petitioner has been arrested from his house. It is also submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.17193 of 2024 on 20.03.2024. Petitioner has got no criminal antecedent as stated in para 3 of the petition is in custody since 21.05.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned 1st Additional District and Sessions Judge, Patna City, Patna dated 09.10.2023, it appears that petitioner is not named in the FIR and his name transpired in this case on the basis of confessional statement of co-accused namely, Suraj Kumar and Guddu Kumar. Perusal of the impugned order, it appears that the caused of death mentioned as opinion reserved, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned A.C.J.M.-VI, Patna City in



connection with Bypass PS Case No. 238 of 2023.

(Ramesh Chand Malviya, J)

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