

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35780 of 2024

Arising Out of PS. Case No.-149 Year-2022 Thana- JAKKANPUR District- Patna

Monu Kumar Son of Naresh Sharma R/O- Postal Park, Road No.3, Near Kali Mandir(Tenant in the house of Sarwanand Mishra), P.S.- Jakkanpur, Dist.- Patna. Permanent R/O Bairiya Prem Nagar, Road No.- 01, P.S.- Gopalpur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 28-06-2024 Heard the learned counsel for the petitioner as well as learned APP for the State.

2. Earlier regular bail petition of the petitioner was rejected by this Court vide order dated 01.12.2023 in Cr. Misc. No. 63843 of 2023, with observation that the trial shall be concluded within a period of four months. If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail.

3. Learned counsel for the petitioner has submitted that during investigation, except the confessional statement of the petitioner nothing emerged against him. He has further submitted that in the depositions of four prosecution witnesses, including the informant, who have been examined up-till-now, nothing emerged which indicates the involvement of the



petitioner in the occurrence. He has also submitted that co-accused Manish Thakur has been granted bail by this Court passed in Cr. Misc. No. 33816 of 2023. The petitioner is under custody since 19.05.2022.

4. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the petitioner and the deceased were in the business of liquor and in the deposition, father of the deceased (informant) has stated that he has suspicion that the accused persons including the petitioner have killed his son.

5. Up-till-now, four prosecution witnesses have been examined and in their depositions nothing emerged out indicating the participation of the petitioner in the alleged occurrence.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XI, Patna in connection with Jakkanpur P.S. Case No. 149 of 2022 in Sessions Trial No. 1271 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date till conclusion of the trial.



(ii) In case of his failure in appearance on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(Nawneet Kumar Pandey, J)

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