

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37771 of 2024

Arising Out of PS. Case No.-783 Year-2022 Thana- SUPAUL District- Supaul

Vakil Sah @ Vakil Kumar Sah Son of Sannu Sah Resident of Village - Barail
(Ward No.- 02), P.S.- Supaul, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 06-09-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks regular bail in connection with Supaul PS case no. 783 of 2022 instituted for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 15.08.2022 in the evening, informant along with his brother and wife went to the lodge of Jaiprakash Singh, where informant's son was living for his studies. When they opened the door, they found the dead body of the informant's son, aged about 18 years hanging from the roof of asbestos. The informant enquired the matter and it was found that informant's son had received telephonic calls from two mobile numbers i.e.



9110978217 and 7493993201 and the caller threatened and abused the deceased and upon enquiry, it was found that aforesaid mobile numbers were belonging to Zahir and Vikash from Gajna Chowk.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of the confessional statement of co-accused persons namely Vikash Kumar and Md. Zahir, who have already been granted regular bail by co-ordinate Benches of this Court in Cr. Misc. No. 13900 of 2023 and Cr. Misc. No. 73927 of 2022, respectively. Learned counsel further submits that co-accused persons namely Budhan Mukhiya and Raju Yadav have also been granted regular bail by co-ordinate Benches of this Court in Cr. Misc. No. 11792 of 2024 and Cr. Misc. No. 13205 of 2024, respectively. He also submits that petitioner is not named in the F.I.R. and he is in custody since 05.04.2024.

5. Learned counsel for the State, referring to the case diary, submits that in their confessional statements Md. Zahir and Vikash have stated that the petitioner had approached them for killing the deceased, for the reason that deceased used to torture his niece. He further submits that on the date of occurrence, the petitioner along with Budhan Mukhiya and Raju



Yadav came to the shop of accused Vikash and were planning to kill the deceased.

6. Regard being had to the submissions made by learned counsel for the parties and taking into consideration the fact that similarly situated accused persons have been granted regular bail by co-ordinate Benches of this Court and the petitioner is in custody since 05.04.2024, I am inclined to grant regular bail to the petitioner.

7. This application is, accordingly, allowed.

8. Let petitioner, abovenamed, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, in connection with Supaul PS case no. 783 of 2022.

(Anil Kumar Sinha, J)

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