

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38446 of 2024**

Arising Out of PS. Case No.-1478 Year-2023 Thana- DANAPUR District- Patna

=====

Satish Kumar, Male, aged about 22 years, Son of Late Rajdeo Rai, R/o-  
Baghatola, P.S.- Janipur, District – Patna.

. ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

3      09-07-2024                      This matter has been listed under the heading ‘For  
Orders (on office notes)’.

2. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

3. The petitioner seeks bail in connection with  
Danapur P.S. Case No. 1478 of 2023 dated 26.11.2023  
registered for the offence punishable under Sections 302/34 of  
the I.P.C.

4. As per the prosecution case, on 26.11.2023, the  
informant’s brother slept after having dinner at night and did not  
woke up in the morning then he knocked the door, but he did not



open the door, then on his request, a boy climbed the wall behind and went inside the house and he told him that his brother was murdered, the boy opened the door and the informant entered the house and saw that his brother was killed by some unknown by strangulation and forcibly inserting a nail in his neck.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. His name has sprung up in the present case during the course of investigation on the basis of the confessional statement of the co-accused which has got no evidentiary value in the eye of law. The petitioner is the nephew (*Bhagina*) of the deceased. The petitioner is a student. There is land dispute between the parties. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 12.12.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond



of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Danapur, Patna in connection with Danapur P.S. Case No. 1478 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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