

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41279 of 2024

Arising Out of PS. Case No.-118 Year-2023 Thana- CHHABILAPUR District- Nalanda

Sujit Kumar S/o Ramji Prasad Resident of Vilage-Shekhpora, P.s.-Nimchak
Bathani, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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

ORAL ORDER

2 18-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chhabilapur P.S Case No. 118 of 2023 dated 23.08.2023 registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code and under Section 27 of Arms Act.

3. As per the prosecution case, the co-accused used to drive the truck and pick-up of the informant's husband. On 22.08.2023 at 2.00 P.M. in the night, the co-accused after loading fatti from Katihar on the said truck and as usual parked the said truck in the shop of Lallu Jee and went away to his house at about 6.00 P.M. he called her husband to come for



dinner. After 45 minutes, the co-accused, Babloo Yadav informed her that her husband had not come and she asked to see him because he had already gone away much earlier. After some time, the co-accused, Babloo Yadav informed her that someone killed her husband with a knife. She and her children went and saw that her husband sustained firearm injuries on his head and waist due to that he died. She suspects that Pappu Yadav as he took Rs. 4,20,000/- in the name of truck from her husband after having deputed C.I.D. named the co-accused Babloo Yadav. When her husband used to demand the said money, he refused to return and also threatened to kill him. She also suspects Badri Mahto who is the father-in-law of the informant and Nitish Kumar who is the husband of her elder daughter with whom a matrimonial dispute is pending in the court. When she and her husband went to the matrimonial house of her elder daughter to pacify the matrimonial dispute, they threatened with knife and rifle to kill them.

4. 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 FIR and the name of the petitioner has surfaced in this case merely on suspicion. Learned counsel has further submitted that no direct or indirect



evidence has come against the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The co-accused person has already been granted regular bail by this Court vide order dated 17.05.2024 passed in Cr. Misc. No. 11480 of 2024. The petitioner is a person with clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.01.2024.

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

6. 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 Court concerned, Biharsharif, Naland in connection with Chhabilapur P.S Case No. 118 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

shivam/-

U		T	
---	--	---	--

