

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57024 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- ALAMGANJ District- Patna

Sukkhu Kumar @ Gopal, Son of Sri Hira Gope @ Hiralal Gop, R/o City Court Belwarganj, P.S.- Alamganj, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 27-09-2024 Heard Mr. Abhimanyu Deo, learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Alamganj P.S. Case No. 101 of 2024 initially registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code and later on Section 120B/34 of the I.P.C. was added.

3. In course of patrolling, the police found a dead body lying in the back side at Giriraj Marriage Hall near Belwarganj. On verification, it transpired that the deceased was done to death by throttling and in order to screen off the offence the dead body was thrown behind the marriage hall.

4. Learned counsel for the petitioner adverting to the



narratives made in the FIR submitted that the FIR has been instituted against unknown miscreants. During the course of investigation, on the disclosure made by the mother of the deceased as well as other family members, it transpired that the victim had illicit relationship with co-accused Rani Devi and when the victim came to know about extramarital and illicit relationship of co-accused Rani Devi with other persons, he opposed the same, which led to his death. It is further contended that, in fact, the entire case is based on suspicion and circumstantial evidence, barring this, there is no material suggesting complicity of the petitioner in the present crime. Taking note of the afore-noted facts, other co-accused persons having identical allegation have been allowed the privilege of bail by this Court in Cr. Misc No. 48974 of 2024 and another analogous case vide order dated 21.09.2024. It is lastly contended that now the petitioner has been incarcerated since 10.02.2024 having fair antecedent. Investigation of the crime is complete and the charge-sheet has been submitted.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the motive of causing death is apparent from the materials collected during the course of investigation.



6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case against the petitioner is based on suspicion and circumstantial evidence, coupled with the fact that other c-accused persons have been granted bail by this Court, apart from the fair antecedent, let the petitioner, named above, 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 learned A.C.J.M.-IV, Patna City, in connection with Alamganj P.S. Case No. 101 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal



antecedent of the petitioner and, in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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