

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61712 of 2024

Arising Out of PS. Case No.-224 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

Sunil Kumar S/O Subhash Chandra Singh R/O Village- Sakrohar, Ward No.-
12, P.S- Beldaur, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Rahul Singh, Advocate
Mr. Amar Kumar Singh, Advocate
For the State : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 Heard Mr. Rahul Singh, learned counsel appearing on
behalf of the petitioner and Mr. Umeshanand Pandit, learned
APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 302, 201
and 34 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and
time of occurrence, an unknown call came to the son of the
informant (deceased) from Mobile No. 6299375964 and then
the deceased went out of his house and subsequently, his
beheaded dead body was found on 11.07.2023 and thereafter,
F.I.R. was lodged against unknown.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner is not named in the F.I.R.. Name of petitioner has transpired in this case during course of investigation, on restatement of the informant. Informant is not eye witness to the alleged occurrence nor he has seen this petitioner with his son any time prior to death of his son. The alleged mobile number does not belong to this petitioner. During course of investigation, after ten days, father of the informant raised suspicion against this petitioner, on the ground that this petitioner was business partner of the deceased and this petitioner, along with other co-accused persons, might have committed murder of the deceased. Except suspicion, there is nothing on record to show the complicity of this petitioner in the alleged occurrence. Similarly situated co-accused person, namely Kailash Singh, has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 23.07.2024 passed in Cr. Misc. No. 32608 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and claim based on parity, the prayer for grant of anticipatory bail to the petitioner is allowed.



7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 A.C.J.M. Ist, Udakishunganj, District- Madhepura, in connection with Udakishunganj P.S. Case No. 224 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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