

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60013 of 2024**

Arising Out of PS. Case No.-218 Year-2024 Thana- CIVIL LINE District- Gaya

Sanjay Kumar @ Sanjay Ram, Son of Bhadai Ram, Resident of Vill-  
Bageshwari Colony Road No. 5, P.S.- Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      26-10-2024                      Heard 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 Civil Line P.S. Case No. 218 of 2024  
registered for the offences punishable under Sections 302,  
201/34 and 120B of the Indian Penal Code.

3. Based upon the written report, the prosecution  
alleges that on 28.04.2024, the maid servant of the father of the  
informant informed him that his father's quarter is locked from  
outside. On the said information, the informant rushed to the  
quarter and broke its door. He saw that his father was done to  
death and his dead body was concealed in a septic tank, which  
was recovered in presence of the police.

4. Learned counsel for the petitioner contended that  
the FIR has been instituted against unknown miscreants,



however, during the course of investigation, one Rani Kumari was apprehended by the police, who used to cook food in the house of the deceased and she disclosed the name of the petitioner and one another co-accused persons that they have killed the father of the informant on account of his indecent behaviour. It is further contended that baring the confessional statement, which is hit by Sections 25 and 26 of the Indian Evidence Act, there is no material suggesting complicity of the petitioner in the present crime. The postmortem report suggests that the deceased died 3-4 days before institution of the FIR but not even a suspicion was raised against the petitioner. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the Court. Now, investigation of the crime is complete and the charge-sheet has been submitted.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that during the course of investigation, ample materials have come, which suggest complicity of the petitioner, apart from the confessional statement of the co-accused persons.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case



is based upon the confessional statement of the co-accused persons, moreover, investigation of the crime is complete and the charge-sheet has been submitted, coupled with the fair antecedent of the petitioner, 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. 1<sup>st</sup> Gaya in connection with Civil Line P.S. Case No. 218 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.

**(Harish Kumar, J)**

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