

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74653 of 2024

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

Sonu @ Jakir Ali, S/O Hushain Ali, R/O Mohalla- Katari Hill, Bairagi
Devasthan, P.S- Chandauti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 18-12-2024 Heard learned Advocate 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, 120B of the Indian Penal Code.

3. Allegedly, 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. The body was brought out from the septic tank in presence
of the police.

4. Learned counsel for the petitioner contended that



the F.I.R. has been instituted against unknown miscreants, however, during the course of investigation, one Rani Kumari, who was working as a maid in the house of the deceased, was apprehended by the police. The apprehended co-accused Rani Kumari 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 except the confessional statement, there is no other material suggesting the complicity of the petitioner in the present crime. The postmortem report also 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. It is the contention of the petitioner that co-accused Sanjay Kumar @ Sanjay Ram, whose name has also been surfaced on the confessional statement of co-accused Rani Kumari, has been accorded the privilege of bail by this Court in Cr. Misc. No. 60013 of 2024. The petitioner is in custody since 02.05.2024.

5. On the other hand, learned counsel for the State vehemently opposes the bail application and submits that during the course of investigation, the name of the petitioner transpired in the confessional statement of co-accused and moreover on the alleged date and time of occurrence the mobile location of the



petitioner, co-accused persons and the deceased were in the same location of incidence.

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 suspicion and circumstantial evidence, coupled with the fact that one of the co-accused person, having identical allegation, has been granted bail by this Court, moreover the petitioner bears 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 Chief Judicial Magistrate, 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.

(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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