

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79078 of 2023

Arising Out of PS. Case No.-928 Year-2022 Thana- MANER District- Patna

SONU KUMAR, S/O SHIVDHARI RAI, R/O JIVRAKHAN TOLA, WARD
NO.-06, DARVESH PUR, P.S- MANER, DISTRICT- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ghanshyam Tiwary, Advocate Mr. Mithilesh Kr. Arya, Advocate
For the Opposite Party/s :	Mr. Ram Bilash Roy Raman, APP Mr. Sanjay Kumar, Advocate Mr. Ajeet Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Maner P.S. Case no. 928 of 2022 registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that after receiving a telephone call, his son went with one accused namely Raja King. He did not return thereafter. It later transpired that he had been kidnapped by the seven named accused persons including the petitioner herein. Subsequently, his dead body was recovered by the side of the canal.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only on the



basis of suspicion. Neither there is any eye witness to the occurrence nor any incriminating material has transpired in course of investigation to connect the petitioner with the alleged crime. The prosecution is mainly relying on the call detail report of the mobile phones of the accused persons and their proximity to the place of occurrence. The petitioner is in custody since 20.6.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the FIR but substantial material has transpired in course of investigation to connect him with the alleged crime. Call detail report of the phone of all the accused persons would show that they were regularly in touch with each other prior to as also after the occurrence.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, there being no eye witness to the occurrence, the petitioner being in custody for 8 months since 20.6.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Maner P.S. Case no.928 of 2022 on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Danapur, Patna.

(Partha Sarthy, J)

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