

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86073 of 2023**

Arising Out of PS. Case No.-448 Year-2023 Thana- MOTIHARI TOWN District- East  
Champaran

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Sonu Kumar @ Vikash Kumar, Son of Pramod Kumar Srivastawa @ Pramod  
Kumar Srivastav Resident of village - Azad Nagar, P.S.- Town, District - East  
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |   |                              |
|----------------------------|---|------------------------------|
| For the Petitioner/s       | : | Mr. Abhishek Kumar, Advocate |
|                            |   | Mr. Hemant Ray, Advocate     |
| For the Opposite Party/s : |   | Mr. Syed Mojibur Rahman, APP |

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      16-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks regular bail in connection with  
Motihari Town P.S. Case No. 448 of 2023 for the offence  
registered under Section 302 of the Indian Penal Code.

3. As per the prosecution case, petitioner with  
intention to commit murder of the father of informant assaulted  
with brick on the chest causing his death.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has been falsely implicated in this  
case. He further submits that the allegation made in the F.I.R.  
has not been supported by the post-mortem report as the doctor  
has not found any injury on the chest of the deceased. The



deceased was old and sick, aged about 70 years and due to heart attack he fell down on the earth and received injury on his right hand and face. Petitioner has no criminal antecedent. He is in custody since 03.07.2023. Charge-sheet has already been submitted in this case. There is no chance of absconding of the petitioner or tampering with the evidence by the petitioner.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Motihari Town P.S. Case No. 448 of 2023.

**(Sunil Dutta Mishra, J)**

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