

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1036 of 2024

Arising Out of PS. Case No.-31 Year-2018 Thana- DUMARIAGHAT District- East
Champaran

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SANTOSH KUMAR SHUKLA SON OF LATE RAM LAXMAN SHUKLA
@ LATE RAM LAXUMAN SHUKLA R/O MAMRAKHA, P.S.- MALAHI,
DIST.- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Adv

For the Opposite Party/s : Mr.Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dumariyaghat P.S. Case No. 31 of 2018 registered on
19.02.2018 lodged under Sections 302, 201, 34 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against four named accused persons including the petitioner. It
has been stated in the F.I.R., that three named accused persons
other than petitioner reached at the house of the petitioner and
told the informant's son to come with them at 10:00 P.M. When
informant's son has not returned then villager's along with the
informant started searching him. When they reached at the
house of the petitioner, they told that there is no need to search



as his son is safe. When the informant reached at the place then found that informant's son has died.

4. Counsel for the petitioner submits that name of the petitioner has been figured in this case only by the virtue of suspicion.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that from the content of the F.I.R. it is very much clear that only three persons other than petitioner has called the informant's son with them. petitioner is in custody since 21.11.2023 having clean antecedent. Charge-sheet has already been filed in this case.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Dumariyaghat P.S. Case No. 31 of 2018 subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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