

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5239 of 2025

Arising Out of PS. Case No.-503 Year-2023 Thana- SULTANGANJ District- Patna

Sahrukh @ Shahrukh S/o- Md. Munna Resident of Dargah Road Qaebala PS-
Sultanganj, Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 07-07-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 363, 364, 365,
302/34 of the I.P.C.

3. As per the prosecution case, on 23.10.2023 at about
7:00 P.M., the informant's son, namely, Md. Irfan, went out to
buy some food items but did not return and his mobile phone
was also found switched off. Thereafter, the informant raised a
suspicion that the named accused persons including the
petitioner have abducted her son and would have killed him.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. It is further submitted that the co-accused Jimmy @



Md. Shahnawaz in his self-inculpatory statement has stated the name of the petitioner as his accomplice in the said incident, however, he has admitted that it was he who had killed the son of the informant. It is also submitted that the charges have been framed on 03.09.2024, however, till date no prosecution witness has been examined. It is lastly submitted that the petitioner has one criminal antecedent and is in custody since 19.12.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner is a named accused and in the confessional statement of the co-accused, it has been found that the petitioner was involved in the murder of the informant's son, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Sultanganj P.S. Case No. 503 of 2023, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so



required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

Jyoti/-

U		T	
---	--	---	--

