

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10866 of 2025

Arising Out of PS. Case No.-23 Year-2024 Thana- KAMTAUL District- Darbhanga

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Sogarath Das Son of Sathu Das @ Sathru Das @ Satahu Das R/o Vill-
Mangrathu, P.S.- Kamtaul, District- Darbhanga, Bihar
... .. Petitioner/s

Versus

The State of Bihar Patna Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Adv

For the Opposite Party/s : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 09-07-2025 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 302, 201 & 120 (B)
of the I.P.C.

3. As per the prosecution case, one Shyam Das
(informant/ co-accused) gave a written report to the police
stating therein that his daughter went missing and subsequently
her half burnt body was recovered by the villagers and thereafter
the present FIR was lodged. It is further alleged that after the
investigation the police found that this is a case of honour
killing and the informant and his entire family members were
made an accused in the present case.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and falsely been implicated in this
case as he happens to be the brother of the own grand father of
the husband of the deceased. It is further submitted that there is



no specific allegation against the petitioner and merely on the basis of suspicion the name of the petitioner was disclosed by the *chowkidar*, who also is not an eye-witness to the said occurrence. It is next submitted that there is no material collected during the course of investigation to connect the petitioner with the said occurrence. It is also submitted that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 26.07.2024 passed in Cr. Misc. No. 37823 of 2024. It is lastly submitted that the petitioner has clean criminal antecedent and is in custody since 27.11.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner's name has transpired during the course of investigation and the petitioner was found to be involved in the killing of her minor girl, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court which has been brought on record by way of Annexure- P/2 series 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, Darbhanga in connection with Kamtaul P.S. Case No. 23 of 2024, 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 bonds of the petitioner will be liable to be canceled by the Court concerned.

(iv) 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 bonds 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.

8. However, it is made clear that the observations, if any, made in this order shall be of no bearing during the trial.

(Sourendra Pandey, J)

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