

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21908 of 2025**

Arising Out of PS. Case No.-267 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Satyendra Kumar @ Satyendra Shah, S/o Vikrama Sah R/O Village- Khaira  
Azam, P.S- Baikunthpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dharmveer, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      27-06-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Baikunthpur P.S. Case No. 267 of 2023 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

3. This is the second attempt made on behalf of the petitioner for grant of bail, as earlier the prayer for bail of the petitioner came to be rejected by this Court vide order dated 21.09.2024 passed in Cr. Misc. No.48584 of 2024, taking into consideration the material(s) available on record as also the confession of the petitioner, leading to recovery of *dabiya*, which was used in causing death of the deceased.

4. Learned Advocate for the petitioner submitted at



the Bar that since the prayer for bail of the petitioner came to be rejected on merit(s); hence, he is not pressing the bail application on merit, however, this fact cannot be overlooked that the entire case is based on circumstantial evidence and now the petitioner has been incarcerated for two years, having fair antecedent. It is further contended that initially the FIR came to be instituted against two named accused persons; however, the police after investigation submitted final form showing the accused persons as innocent and this petitioner, who happens to be brother of the deceased (sister) came to be apprehended and charge-sheet has been submitted. The petitioner undertakes that he will fully cooperate in the trial and remain present on each and every date.

5. Learned Advocate for the State submits that though the entire case is based on circumstantial evidence but the materials available on record clearly suggests involvement of the petitioner in causing death of the deceased-sister. There is motive behind the occurrence.

6. It has also been apprised to this Court that on the last occasion, a report was called for and it appears that after framing of charge(s), now summons have been issued for appearance of the prosecution witnesses.

7. Regard being had to the submissions made on behalf of the parties and taking note of the fact that till date not



even a single witness has been examined and there is no likelihood of conclusion of the trial in near future, coupled with the period of incarceration and his fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XII, Gopalganj (Sessions Trial No.59 of 2024) in connection with Baikunthpur P.S. Case No. 267 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

**(Harish Kumar, J)**

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