

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34045 of 2025

Arising Out of PS. Case No.-143 Year-2024 Thana- SARMERA District- Nalanda

Sumit Kumar S/O Sri Satendra Prasad R/o - Jagdishpur, P.S - Jairampur,
District - Shekhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 22-08-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Sarmera P.S. Case No. 143 of 2024, instituted for the offences punishable under Sections 103, 238, 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the informant raises suspicion that the FIR named accused persons have committed the murder of her husband.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name



of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is next submitted that there is no eye witness to the alleged occurrence. The petitioner is in custody since 16.07.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 11.04.2025 passed in Cr. Misc. No. 2284 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sarmera P.S. Case No. 143 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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