

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41741 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- KHAIRA District- Jamui

Sujit Kumar S/o- Late Karu Sah Village- Dubba PS- Sono Distt- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-08-2025 Heard the parties.

2. The petitioner is in custody in connection with Sessions Trial No. 354 of 2024 arising out of Khaira P.S. Case No. 48 of 2024 for the offence punishable under sections 302/120(B)/34 of the Indian Penal Code lodged on 04.02.2024 by the informant, Neera Devi.

3. As per the prosecution story, the informant alleged that upon information about the murder of her brother-in-law (devar) near Narayan bridge, went there and found the dead body with several injury marks. Further, case is that he used to earn his livelihood by driving tempo and was married but was having dispute with his wife. This led to the FIR.

4. Subsequently, the investigation took place and the role of the petitioner as also his accomplice came into picture. It



is to be noted that the petitioner is the son of the deceased and in his confessional statement, he has narrated the story that his father used to drink, beat his mother which was resented by him and then, he hatched a conspiracy, took his father near the river and with the help of his friends, killed him.

5. Earlier, the bail application of the petitioner was rejected in Cr. Misc. No. 41645 of 2024 on 12.11.2024 (Annexure 1 to the petition). This is the second petition in which the reports were called for.

6. Learned counsel for the petitioner has taken this Court to the deposition of PW-1 and 2 to show that they have not supported the prosecution story. The further submission is that the Police on blank paper took the statement implicating him, the son of the deceased. He has remained in custody since 06.02.2024 and has no criminal antecedent. The father is no more, he is in custody, the family is in dire straits and if granted bail, he shall be diligently appearing in trial.

7. Learned APP opposes the prayer for bail submitting that allegation against him is of killing his own father on the ground that he used to beat his mother after consuming alcohol.

8. Considering the submissions of the parties as also the facts that has come on record coupled with the prosecution



evidences that has been made part of this petition, the petitioner has no criminal antecedent, he is in custody since 06.02.2024 and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned District & Additional Sessions Judge-VI, Jamui in connection with Sessions Trial No. 354 of 2024 arising out of Khaira P.S. Case No. 48 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and at the end of the period, the certificate be submitted to the Court;



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

(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 his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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

