

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68990 of 2024

Arising Out of PS. Case No.-562 Year-2016 Thana- KANTI District- Muzaffarpur

Suraj Kumar @ Tutu @ Suraj Singh Son of Braj Kishore Thakur R/O Vill.-
Sirkohia, P.S.- Saraiya (Jaitpur O.P.), District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 18-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 201, 34 of the Indian Penal Code.

3. The case of the prosecution is that from 20.12.2016 at about 11 pm, one Chhotu Singh and Bhuila Rai arrived at the house of the informant and told her husband to follow them. Her husband told that he will not go. On this, they forcefully boarded him on the bike and took him away. The informant kept waiting whole the night. On 21.12.2016 at about 6 am, she was informed that near a bridge the dead body of the informant was lying.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of the FIR, it is



clear that the petitioner is not named in the FIR, his name has been surfaced in the confessional statement of co-accused namely, Sourav Kumar. It is also submitted that nothing has been recovered from the possession of the petitioner. It is next that the similarly situated accused namely, Govind Kumar has been granted anticipatory bail by a Coordinate Bench *vide* order dated 08.12.2017 passed in Cr. Misc. No. 57678 of 2017. It is further submitted that the petitioner is languishing in judicial custody since 27.01.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kanti P.S. Case No. 562 of 2016 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court No. 9, J.M.F.C., Muzaffarpur.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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