

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73418 of 2024

Arising Out of PS. Case No.-387 Year-2022 Thana- SONBERSA District- Sitamarhi

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Suraj Kumar Son of Sahadeo Mahto Resident of Village - Jainagar, P.S. -
Sonbarsa, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 18-02-2025 Heard the learned counsel for the petitioner and the

learned APP for the State.

2. This is the 2nd attempt of the petitioner. Earlier the
bail application of the petitioner was rejected *vide* order dated
19.08.2023 passed in Cr. Misc. No. 51539 of 2023.

3. The petitioner seeks regular bail in a case registered
for the offence under Sections 383, 302, 201/34 of the Indian
Penal Code.

4. The following order was passed on 19.08.2023 in
Cr. Misc. No. 51539 of 2023:-

Heard learned counsel for the
petitioner and learned Additional Public Prosecutor
for the State.

2. This application is filed for grant of
regular bail in connection with Sonbarsa P.S. Case
No. 387 of 2022 registered under Section 383, 302,
201/34 on Indian Penal Code.

3. Learned counsel for the petitioner
submits that petitioner is said to have initially
demanded extortion money from the informant.



Thereafter, he took away 14 years old son of the informant and thereafter, the son of the informant was found dead. The petitioner is in custody since 15.11.2022.

4. Learned A.P.P. has vehemently opposed the prayer for bail.

5. Materials have come during investigation that petitioner is one of the criminals who killed the boy. Learned counsel for the petitioner submits that one co-accused have similar allegation have been granted bail.

6. The main allegation against the petitioner is of demanding extortion money and subsequently, killing the deceased.

7. In these circumstances, I am not inclined to grant bail to the petitioner.

8. Accordingly, this application for regular bail is dismissed.

9. The trial court is directed to expedite the trial.

5. The only ground for renewal of the bail of the petitioner is that the petitioner is in custody since 15.11.2022. In the trial out of 7 witnesses, 5 witnesses have been examined and only two witnesses are yet to be examined.

6. Such kind of persons in my opinion should remain in custody till the entirety of the trial as the offence is punishable with capital punishment.

7. In view of the above discussions, this application for regular bail is hereby rejected again.

(Sandeep Kumar, J)

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