

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77446 of 2024

Arising Out of PS. Case No.-532 Year-2023 Thana- KOTWALI District- Patna

Sudhir Kumar @ Jitendra Kumar Son of Sikandra Prasad @ Sikandar Ray @
Sikandar Prasad Resident of Police Chouki Sultanpur, P.S.- Danapur, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-02-2025 Heard Mr. Anish Kumar, learned counsel for the
petitioner and Md. Fahimuddin, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
21.05.2024, in connection with Kotwali P.S. Case No. 532/2023,
FIR dated 18.07.2023 registered for the offence under Sections
365 and 366 of the Indian Penal Code.

3. As the prosecution case, on the date of
occurrence the wife of the informant went to the Maurya Lok
and thereafter she disappeared from there and accordingly, FIR
is lodged against the unknown persons.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and he has falsely been implicated in this case. He
further submits that the allegation as alleged in the FIR is false
and fabricated and the petitioner has not committed any offence



as alleged in the FIR. He further submits that except the suspicion, no other cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 21.05.2024.

5. Pursuant to the order of this Court dated 10.01.2025, a report has been furnished by the Senior Superintendent of Police, Patna which reveals that the petitioner has some relation with the victim and petitioner has also called the victim on several times. Except the aforesaid, no other material has come during the investigation to suggest the involvement of the petitioner in the present occurrence.

6. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts that the petitioner has clean antecedent and except the suspicion no other cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned A.C.J.M., VII, Patna in connection with Kotwali P.S. Case No. 532 of 2023 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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