

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79456 of 2024

Arising Out of PS. Case No.-13 Year-2023 Thana- BIHARSHARIF RAIL P.S. District- Patna

Sonu Kumar S/o Om Prakash Mahto R/o vill - Karah Dih, P.S.- Silao, Distt. -
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-01-2025 Heard Mr. Shivendra Prasad, learned Counsel for the
petitioner and Mr. Sanjay Kumar Singh, learned APP for the
State.

2. The petitioner seeks bail, who is in custody
since 09.05.2024, in connection with Biharsharif Rail (Rajgir)
P.S. Case No. 13 of 2023, FIR dated 16.06.2023 registered for
the offence under Sections 302, 201 and 34 of the Indian Penal
Code.

3. As per the prosecution case, petitioner in
connivance with other co-accused persons has committed
murder of Vibha Devi.

4. Learned Counsel for the petitioner submits that
the petitioner, who is of clean antecedent, is innocent and he has
falsely been implicated in this case merely on the ground that



the petitioner is husband of the deceased. In fact the deceased has committed suicide herself and after the present occurrence, the petitioner himself informed the family members of the deceased and on the same set of allegation, co-accused, namely, Rahul Kumar who happens to be the brother of the petitioner has been granted bail by this Court vide order dated 03.12.2024 in Cr. Misc. No. 83889 of 2024 and police after investigation submitted charge sheet against the petitioner and the petitioner is in custody since 09.05.2024.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the period of custody, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, XXIV, Patna in connection with S. Tr. No. 248 of 2024 arising out of Bihar Sharif Rail (Rajgir) P.S. Case No. 13 of 2023, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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.

(iii). And further condition that the learned trial Court 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 learned trial Court 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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