

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87614 of 2024**

Arising Out of PS. Case No.-304 Year-2023 Thana- MAHUA District- Vaishali

Sunil Kumar @ Sunil Kumar Ray Son of Shankar Ray Resident of Village -  
Tajpur Buzurg, P.S. - Mahua, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Jai Narain Thakur

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

3      04-04-2025                      Heard the learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner makes a prayer for bail in connection  
with Mahua P.S Case No.304 of 2023 registered for offences  
under Section 302 and 120(B)/34 of the Indian Penal Code.

3. From a perusal of the First Information Report, it  
would appear that in the morning of 15-05-23 when the  
informant had gone to her bathan, she found her father, Ram  
Nath Rai, had been done to death by means of knife blow in the  
neck. It has been further alleged that in the said F.I.R., that is on  
13-05-23, three accused persons, including the present  
petitioner, had hurled abuses upon the deceased. It is on such  
pretext that she suspects that her father had been done to death  
by these persons along with four to five unknown persons.



4. Learned counsel for the petitioner submits that for the occurrence which took place in the morning of 15-05-23, the First Information Report got lodged on the next day, i.e., on 16-05-23 at about 4.30 p.m. Learned counsel for the petitioner submits that there is no eyewitness to the said case, and the FIR has been lodged only on the basis of suspicion. It is submitted as against the petitioner also that nothing specific has been attributed in the FIR but for the fact that two days earlier, there was an incident of hurling of abuses upon the deceased by three accused persons, including this petitioner. It is submitted that even during the course of investigation, no witness has come as an eyewitness to the said incident. The further material which appears in the case diary is the confessional statement of the petitioner himself before the Police, contained in paragraph 74 of the case diary, which has no evidentiary value. The learned counsel for the petitioner also invites the attention of this Court to the order dated 23-05-2024 passed in Cr. Misc. No.34023 of 2024, in which the similarly situated accused person of the case, Sangeeta Devi, has been granted the privilege of anticipatory bail.

5. Learned APP for the State opposes the prayer for bail.



6. Considering the fact that the petitioner's case is similar to that of Sangeeta Devi and he has no criminal antecedent and is languishing in custody since 15-07-2024, the petitioner is enlarged 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S Case No.304 of 2023, subject to the condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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