

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90291 of 2024

Arising out of PS. Case No.-952 Year-2018 Thana- SONEPUR District- Saran

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Punit Rai, S/o Panchi Ray, Resident of Dudhaila Krishi Form Vinik Tola P S
Sonepur, District Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate
For the Opposite Party/s: Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 21-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with S.Tr.
No. 891 of 2024 arising out of Sonepur P.S. Case No. 952 of
2018 instituted for the offences under Sections 302 and 201/34
of the Indian Penal Code.

3. The prosecution case in short is that as per *fard-
beyan* of the informant, Soni Devi the husband of the informant
was taken away by four named accused persons including this
petitioner and subsequently it came to the knowledge that the
petitioner had drowned in the river. When the dead body of the
husband was found, it was stated that there was fresh blood ooz-
ing out of the body of the deceased-husband.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case and from perusal of the post-mortem report it would be clear that death has been caused due to cardiac respiratory failure as a consequence of drowning and so far as the external portion of the body was concerned there was no external injury found on the body of the deceased. It is further submitted by learned counsel for the petitioner that the similarly situated co-accused persons namely Junarbi Rai and Sanjeet Rai have been granted bail by a Co-ordinate Bench of this Court *vide* orders dated 11.02.2022 passed in Cr. Misc. No. 28112 of 2021 and 14.02.2022 passed in Cr. Misc. No. 30888 of 2021 respectively. It is lastly submitted that the petitioner is in custody since 28.06.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Having heard learned counsel for the parties and taking into consideration the fact narrated in the post-mortem report that there was no injury found on the body of the deceased and similarly situated persons have already been granted bail in the present case, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional Sessions Judge-VII, Saran at Chapra in connection with S.Tr. No. 891 of 2024 arising out of Sonapur P.S. Case No. 952 of 2018, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(Sourendra Pandey, J)

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