

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10604 of 2017

Arising Out of PS.Case No. -469 Year- 2016 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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SANTOSH KUMAR @ SANTOSH SAH GOND @ SANTOSH SHAH,
son of Lalji Gond, Resident of Village Telia Tola, Kharpokhara, P.S.
Bagaha, District West Champaran. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Bagha P.S. Case
No. 469 of 2016 registered for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

Allegedly, the son of the informant was murdered by co-
accused Sunil Gond, the son-in-law of the informant, and the
petitioner is cousin of Sunil Gond.

Submission is of false implication and that besides
suspicion there is nothing against the petitioner, after committing
murder Sunil Gond has come in the house of the petitioner and
stayed there. He kept his bicycle there, the petitioner has got no
concern with the alleged murder, in the confessional statement
Sunil Gond has stated nothing against the petitioner and in the



confessional statement of the petitioner also there is nothing against the petitioner to suspect that the petitioner has committed the murder of son of the informant. In this case two other co-accused Suman Sahni and Anup Sahni have already been allowed bail by different Benches of this Court and as such the petitioner also deserves sympathetic consideration.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the bicycle of the deceased was recovered from the house of the petitioner and the petitioner has also confessed his guilt that he gave shelter to Sunil Gond after committing murder knowingly.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 469 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and



every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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