

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31385 of 2018

Arising Out of PS.Case No. -297 Year- 2017 Thana -KOTWALI District- MUNGER

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1. Suraj Singh S/o Ganesh Kumar Singh @ Ganni Singh, R/o Vill.- Bhalar,
P.S.- Dharahra, Distt.- Munger. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Satyavarat Verma, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 21-05-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in S.T. No. 89/2017 arising out of Kotwali P.S. Case No. 297 of 2017 registered under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

Two motorcycle borne criminals are said to have gunned down the brother of the informant descending at his shop.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent. He has no concern with the aforesaid occurrence. He has been falsely implicated in this at the instance of his enemy. He is neither named in the F.I.R. nor was apprehended on the spot. There



is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of named accused Gautam Kumar Singh which has no evidentiary value in the eye of law. Though four criminal cases have been lodged against the petitioner but in one case he has been acquitted and is on bail in the rest cases. The petitioner has been languishing in custody since 24.11.2017. Co-accused, namely, Gautam Kumar Singh and Rana Yadav have been enlarged on bail by a co-ordinate bench of this court vide order dated 05.02.2018 and 03.04.2018 passed in Cr. Misc. No.6685 of 2018 and Cr. Misc. No.10036 of 2018 respectively.

Considering the facts aforesaid, the above named petitioner/s is/are directed to be 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 the learned Chief Judicial Magistrate, Munger in connection with S.T. No. 89/2017 arising out of Kotwali P.S. Case No. 297 of 2017.

(Prakash Chandra Jaiswal, J)

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