

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75060 of 2019

Arising Out of PS. Case No.-671 Year-2019 Thana- LAKHISARAI District- Lakhisarai

SANTOSH KUMAR @ SANTOSH KUMAR PASWAN @ TIGER Son of
Rajendra Prasad Resident of near Mahadev howal, Santar, Moohalla Ward
No. 13, P.S. - Lakhisarai, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv & Mr. Shashank
Shekhar, Adv
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-11-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

Informant in his written complaint has alleged that on
03.09.2019 at about 11:40 am, he along with his brother
Amarjit Saxena @ Papu Mehta was going to Lakhhisari
Collectorate on his SCORPIO vehicle along with Arun Kumar
and driver Sanoj Mandal and Kundan Das his SCORPIO vehicle
was intercepted by 8 miscreants riding on three motorcycles and
there is allegation against accused Bablu Ram @ Amit Kumar
and Nawal Kumar and some unknown of firing upon his brother



and other FIR named accused were present there. His brother was rushed to the hospital where he died. The reasons of crime is previous enmity, land dispute as well as with respect to dispute of contract of railway parking.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to village rivalry. During the course of investigation the name of petitioner surfaced as he was also one of the conspirator of the crime. Nothing has been recovered from the possession of the petitioner. It has been further submitted that petitioner is a student and is engaged in preparation of competitive examination. Petitioner has got no criminal antecedent and is in custody since 05.09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Lakhisarai P.S. Case No. 671 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date



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

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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