

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23104 of 2020**

Arising Out of PS. Case No.-184 Year-2019 Thana- KRITYANAND NAGAR District-
Purnia

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Santosh Choudhary, son of Jitendar Chaudhary, resident of Village Baryarpur,
P.S. Baryarpur, District Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv.
For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 10-09-2020 Heard learned Senior Counsel for the petitioner and

learned Additional Public Prosecutor for the State, through

video conferencing.

The petitioner seeks regular bail in connection with

Sessions Trial No. 01 of 2020, arising out of K. Nagar
(Shrinagar) Police Station Case No. 184 of 2019, registered for
the offence punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The allegation against the petitioner, as per the First
Information Report, is that Rupesh Kumar, Lallan Kumar Yadav
and Sabita Yadav killed the son of the informant near the rice
mill and the name of the petitioner has transpired on the basis of
the confessional statement of co-accused Nishant Kumar and



Lallan Kumar Yadav.

Learned Senior Counsel for the petitioner submits that the petitioner is not named in the First Information Report and the name of the petitioner has transpired in this case on the basis of confessional statement of co-accused and self-exculpatory statement of the petitioner himself. He further submits that the co-accused, on whose confessional statement, the petitioner's name has transpired in this case, have been granted bail by this Court in Criminal Misc. Nos.6505 and 9584 of 2020. He also submits that the petitioner is in custody since 06.09.2019.

After having heard learned Counsel for the parties and taking into consideration the fact that similarly situated co-accused persons have been granted bail of this Court, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Purnea, in connection with Sessions Trial No. 01 of 2020, arising out of K. Nagar (Shrinagar) Police Station Case No. 184 of 2019.

This is subject to the condition that the petitioner shall



present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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