

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20566 of 2021

Arising Out of PS. Case No.-4 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

SHIVAM KUMAR SON OF SATENDRA SINGH @ SAHENDRA SINGH
VILLAGE ALIPUR,(MANJHIPUR) PS RAJAPAKAR, DISTRICT-
VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anju Kumari, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-10-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in connection with a case registered under sections 302 and 120B of the Indian Penal Code, section 27 of the Arms Act and section 52 of the Prisoners Act.

As per the prosecution case, accused Raja Babu is stated to have fired with a pistol killing Manish Kuamr @ Netaji, an under trial prisoner. The said Raja Babu confessed to his crime and further stated that for the said occurrence accused Annu Singh @ Rahul Singh had provided him with a pistol and instigated him by promising a sum of Rs. 10 lacs.

It is submitted by learned senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the



case. He is not named in the FIR. His name transpired in course of investigation in the confessional statement of co-accused Raj Kumar. Even as per the said confessional statement no over act has been alleged against this petitioner who is in custody in the instant case since 10.1.2020. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegations against the petitioner, the material that has transpired in course of investigation and the petitioner having remained in custody for 1 year 9 months, the Court directs the petitioner to be enlarged on bail in connection with Hajipur Sadar P.S. Case no. 4 of 2020 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 Judicial Magistrate 1st Class, Vaishali at Hajipur.

(Partha Sarthy, J)

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