

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22231 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- BIND District- Nalanda

SUBHASH PRASAD @ SUBHASH SINGH S/o Vashudeo Prasad @
Basudeo Singh R/o village- Meyaar @ Meyar, P.S.- Noorsarai, District-
Nalanda Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201 and 120B of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the informant that she received information from her relative Arvind Kumar of her husband having been shot and having died. She states that she is convinced that some unknown accused persons had killed him as a result of enmity.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. In course of investigation the statement of a number of witnesses were recorded including that of Arvind Kumar and Sulochna Devi as also witnesses in paragraph nos. 6 and 7 of the case diary. The statement of the father of the deceased was recorded in



paragraph no. 22 of the case diary. None of them named the petitioner and there are no eye-witness to the occurrence. The material being relied on against the petitioner is the confessional statement of accused Ganesh Yadav made before police and the same is inadmissible. The petitioner is in custody since 14.10.2020 and has no criminal antecedent. Charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that the petitioner also confessed his guilt before the police.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the material that has transpired in course of investigation together with the petitioner having remained in custody over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Bind P.S. Case no. 88 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, III, Biharsharif.

(Partha Sarthy, J)

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