

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24967 of 2021

Arising Out of PS. Case No.-99 Year-2018 Thana- KHIRI MORE District- Patna

VIJENDRA KUMAR @ CHHOTU @ CHHOTU SINGH @ VIJENDRA
SINGH @ CHHOTU SHARMA S/O BRAMESHWAR SHARMA @
VAMESHWAR SHARMA @ BAMESHWAR SHARMA R/o village- Mera,
P.S.- Khirimore, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-12-2021 Heard learned counsel for the parties.

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

As per the prosecution case, while the son of the informant had arranged a musical programme on the occasion of Chhath, it is stated that unknown accused persons shot him as a result of which he died.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in the confessional statement of co-accused Suraj Kant @ Bitu made before police which is inadmissible and the said co-accused Suraj Kant has been enlarged on bail



vide order dated 11.3.2019 (Annexure-2) passed in Cr. Misc. No. 14056 of 2019. The petitioner has not been put on T.I. parade. He is in custody since 12.10.2020 and the cause of his false implication is his antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, grant of bail to co-accused Suraj Kant on whose confessional statement the name of the petitioner transpired together with the petitioner having remained in custody for over 1 year, the petitioner is directed to be enlarged on bail in connection with Khiri More P.S. Case no. 99 of 2018 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, Danapur, Patna.

(Partha Sarthy, J)

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