

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26201 of 2021

Arising Out of PS. Case No.-72 Year-2020 Thana- NAUGACHIA District- Bhagalpur

SAJAN SINGH SON OF MITHILESH SINGH @ MITHLESH SINGH R/O
VILLAGE- PACHAGACHIA, P.S.- GOPALPUR, DISTRICT-
BHAGALPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. MAMTA KUMARI W/O LATE CHANDRA SHEKHAR KUMAR @
PAPPU MANDAL R/O VILLAGE- MANDAL TOLA, GOPALPUR, P.S.-
GOPALPUR, DISTRICT- BHAGALPUR, PRESENTLY RESIDING AT
VILLAGE- NAYATOLA, WARD NO. 23, P.S.- NAUGACHIA, DISTRICT-
BHAGALPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Sarita Bajaj, Advocate Mr. Shubham Bajaj, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-12-2021 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.

As per the prosecution case, it is stated by the informant that two accused persons shot her husband in the head with a pistol. She claims that she can identify the accused persons. She also claims that there were three other accused persons including Abhisek, Mantu and Bijun.

It is submitted by learned counsel for the petitioner



that the petitioner is not named in the FIR. His name transpired in course of investigation in the confessional statement of co-accused Lavan Kumar made before police which is inadmissible. Even as per the said confessional statement of Lavan Kumar, it is Lavan Kumar and Piyush who shot the husband of the informant. No overt act has been alleged against this petitioner even in the confessional statement. The petitioner is in custody since 30.8.2020 and 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 petitioner having remained in custody for over 1 year and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Naugachia P.S. Case no. 72 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 A.C.J.M 1st, Naugachia.

(Partha Sarthy, J)

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