

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31234 of 2020

Arising Out of PS. Case No.-511 Year-2019 Thana- BODHGAYA District- Gaya

SANTOSH CHAUDHARY S/o Balchand Chaudhary Resident of Village-
Langurakala, P.S.-Mohanpur, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case for the offence registered under Section 396 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case in short is that six unknown persons on 25-11-2019 in course of committing robbery of Rs 6 lakh committed murder of Abdul Rashid by shot firing on his neck. It is also alleged that robbers threatened to kill the informant and other while committing the offence.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 02-12-2019. Charge sheet/Prosecution report in this case has already been submitted.



The petitioner is not named in the FIR. The petitioner's name transpired in this case on the basis of his self-confession made before the police. The looted money is said to have been recovered on the basis of confessional statement made by the co-accused namely Santosh Yadav and not by the petitioner. The petitioner has not been put on test identification parade to ascertain his participation in the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on 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-XI, Gaya in connection with Bodhgaya P.S. Case No. 511 of 2019.

(Sudhir Singh, J)

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