

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33455 of 2020

Arising Out of PS. Case No.-310 Year-2019 Thana- BIDUPUR District- Vaishali

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SATTAN SINGH @ SHATRUDHAN SINGH, Son of Krishnachandra Singh
Resident of Village - Madhurapur, P.S.- Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh

For the Opposite Party/s : Mr. Uma Shanker Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 03-02-2021 Heard Mr. Dilip Kumar Singh, learned counsel

for the petitioner and Mr. Uma Shanker Prasad Singh,

learned APP for the State.

The petitioner seeks bail in connection with

Bidupur P. S. Case No. 310 of 2019 dated 01.08.2019,

instituted for offences under Sections 302, 120(B) and

34 of the Indian Penal Code and Section 27 of the Arms

Act, 1959.

According to the F.I.R., the informant heard the

sound of firing and then reached the place of occurrence

where he found his two brothers injured, one of whom

died. The petitioner and others were seen running away



from the place of occurrence.

The learned counsel for the petitioner has submitted that an absolutely false accusation has been levelled against him even though he has got no concern with the affairs of the deceased or the informant.

Assuming but not admitting, it has been urged on behalf of the petitioner, that the petitioner was seen fleeing away from the place of occurrence, whether he was fleeing away because of being scared with the sound of firing or because of his participating in the occurrence, is not known.

There is no eye-witness to the occurrence.

During the course of investigation, nothing incriminating could be collected against the petitioner so as to connect him with the offence.

The petitioner has clean antecedents and is in custody since 02.08.2019.

The learned counsel for the petitioner has submitted that in this case, charges have been framed



but not a single witness has been examined up till now.

Considering all the afore-stated facts, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P. S. Case No. 310 of 2019.

The petition stands allowed.

While saying so, this Court has also taken note of the fact that one of the accused persons, similarly situated, has been granted bail by a Bench of this Court.

However, the petitioner is directed to appear at the trial and his absence in the trial proceeding for two consecutive occasions without the permission of the trial court would render his bail liable to be cancelled.

(Ashutosh Kumar, J)

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