

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41133 of 2020

Arising Out of PS. Case No.-573 Year-2020 Thana- SAHARSA District- Saharsa

=====

Bholu Singh @ Abhishek Singh Son of Binod Singh @ Binod Kumar
Resident of Mohalla- Naya Bazar, Ward No.03, P.O. and P.S.- Saharsa, Distt-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Mushtaque Alam, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 19-07-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Saharsa P.S. Case no. 573 of 2020 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the F.I.R., the brother of the informant used to live with his friends for the last 3-4 years. It is stated that in the morning the informant received information about his death and on reaching the place of occurrence he found gunshot injury in his brother's head.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has not committed any offence. In course of investigation, it transpired that the



informant's brother committed suicide as a result of his failed love affair with a girl. Charge sheet has been submitted under sections 306 and 34 of the Indian Penal Code and section 27 of the Arms Act. The petitioner is in custody since 30.7.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State who submits that it was the accused persons including the petitioner herein, who instigated the informant's brother to commit suicide.

Having heard learned counsel for the parties and taking into consideration the submission of chargesheet under sections 306 and 34 of the Indian Penal Code and section 27 of the Arms Act together with the petitioner having remained in custody for about one year, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Saharsa P.S. Case no. 573 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 Chief Judicial Magistrate, Saharsa.

(Partha Sarthy, J)

Bibhash

U			
---	--	--	--

