

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6788 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- BAGENGOLA District- Buxar

SANTOSH SINGH SON OF SRI RAM BAHADUR SINGH RESIDENT OF
VILLAGE - DHARAUJI, P.S. - BAGEN GOLA, DISTRICT - BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Adv.
For the State : Mr. Binod Kumar no. 2, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Bagengola P.S. Case no. 98 of 2020 registered under sections 302, 307 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated that as a result of land dispute the ten named accused persons including the petitioner herein came and started to take away the father of the informant forcibly. On his resisting, it is stated that Shailesh Kumar Singh fired hitting the informant's father in his leg. On the brother and bhabhi of the informant coming to his father's rescue, Umesh Singh fired another shot which hit the informant in his leg. His father was taken to the hospital where he was



declared dead.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated in the case because of pending title suit being Title Suit no. 142 of 2015 between the father of the petitioner and co-accused Umesh Singh and the deceased, pending before Civil Judge Senior Division 1st, Dumraon. It is submitted that no specific overt-act has been alleged against the petitioner who is in custody since 23.9.2021 and has no criminal antecedent. Co-accused Umesh Singh has been enlarged on bail vide order dated 7.4.2021 passed in Cr. Misc. no. 1258 of 2021.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the petitioner being in custody since 23.9.2020, investigation in the case having concluded and grant of bail to co-accused Umesh Singh, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bagengola P.S. Case no. 98 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 Additional Chief Judicial Magistrate-1, Buxar.

(Partha Sarthy, J)

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