

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21710 of 2021

Arising Out of PS. Case No.-336 Year-2018 Thana- DUMRA District- Sitamarhi

=====

SOHAN KUMAR PATEL Son of Shri Shatrughan Patel Resident of Village-
Thikahan Ashwarimath, P.S.- Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh,, Adv
For the Opposite Party/s : Mr. Satyendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-09-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307, 120B and 34 of the Indian Penal Code, section 27 of the Arms Act and section 17 of the CLA Act.

As per the prosecution case, it is stated that while the accused Santosh Jha and Vikash Jha were brought for production in Court, Sitamarhi, in the firing which took place, Santosh Jha was killed. It is stated that one of the accused involved in the firing namely, Vikash Mahto was arrested and he disclosed the name of the other accused who had managed to escape as Ashish Ranjan.

It is submitted by learned counsel for the petitioner



that from perusal of the contents of the F.I.R. it would transpire that the petitioner is not named therein. Referring to the order of the learned trial Court rejecting the application for bail of the petitioner, it is submitted that in paragraph 68 of the case diary coaccused Sanjeet Kumar Choudhary @ Raj is stated to have confessed his guilt and his complicity in the occurrence. The said confession was made when the said Sanjeet Kumar Choudhary was arrested in another case i.e Mahishi P.S. Case no.419 of 2018. Further in the said confession made before the police, he has mentioned about the complicity of this petitioner as well. It is submitted that except for the confessional statement of a coaccused made before the police with respect to the present occurrence in another case, there is no material against the petitioner. The petitioner is in custody since 25.11.2019. Coaccused Naveen Akhtar has been enlarged on bail vide order dated 14.3.2019 (Annexure-2) passed in Cr. Misc. No.2355 of 2019.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the period in custody and investigation in the case having concluded, the Court directs the petitioner to be enlarged



on bail in connection with Dumra P.S. Case no. 336 of 2018 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, Sitamarhi.

(Partha Sarthy, J)

Bibhash

U		T	
---	--	---	--

