

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14009 of 2021

Arising Out of PS. Case No.-340 Year-2020 Thana- HARNAUT District- Nalanda

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BADE SINGH SON OF LATE DAMODAR SINGH Resident of Village -
Tira, P.S.- Harnaut (Chero), District- Nalanda at Bihar Sharif.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Niranjana Parihar, Adv.
For the State	:	Mr. Madan Kumar, APP
For the Informant	:	Mr. Navin Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 05-08-2021 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, 201 and 34 of the Indian Penal Code.

As per allegation in the F.I.R., the nephew of the informant was called and taken away by accused Sadhu Singh and Arjun Singh. On his not returning, search started and ultimately his dead body was recovered from an unused well. It is stated that the accused persons threatened him few days back.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case and except for an unsubstantiated suspicion raised in the F.I.R., no incriminating material has transpired against the petitioner in course of investigation. Even in the so called confessional



statement, the petitioner has not made any inculpatory statement. The same is before police and inadmissible. The petitioner is in custody since 18.7.2020, investigation in the case has concluded and he has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State and the learned counsel for the informant. It is submitted by learned counsel for the informant that the accused persons including the petitioner entered into conspiracy and committed the murder. The trial in the case has commenced.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the material that has transpired in course of investigation together with the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Harnaut (Chero) P.S. Case no.340 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, Nalanda at Biharsharif.

(Partha Sarthy, J)

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