

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33610 of 2022**

Arising Out of PS. Case No.-77 Year-2020 Thana- JAKKANPUR District- Patna

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Tuntun Saw Son of Late Rameswar Saw @ Rameshwar Saw Resident of
village - Chandpur Bela More, Bajrangwali Mandir Ke Pas, P.S.- Jakkanpur,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

4 21-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Jakkanpur P.S. Case No. 77 of 2020 registered for the offence
under Sections 307 and 34 of the Indian Penal Code and Section
27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 12.05.2020.

The allegation against the petitioner is to made an
attempt for committing murder of the husband of informant by
open firing upon husband of the informant, along with other



co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not named in F.I.R. and his name surfaced on the basis of suspicion arises out of CCTV footage, as he found coming from the direction of the place of occurrence. It is further submitted that subsequently, self confession of the petitioner was recorded, where nothing incriminating surfaced during the course of investigation. It is also submitted that similarly situated, one of the co-accused persons, Manoj Kahar has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 43177 of 2021, vide order dated 18.01.2022. It is also submitted that TIP of petitioner has also not conducted, as yet. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except self-confession, no incriminating material surfaced during the course of investigation to connect petitioner with present set of occurrence coupled with the fact



that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Jakkanpur P.S. Case No. 77 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 learned Additional Chief Judicial Magistrate-1st, Patna/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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