

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44090 of 2021

Arising Out of PS. Case No.-209 Year-2020 Thana- BANIAPUR District- Saran

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SHAMBHU RAI Son of Chandrama Rai @ Chandrma Ray Resident of
Village- Hansrajpur, Police Station- Baniyapur, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 394 and 302 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the husband of the informant was shot at his betel shop. It is further stated that on being taken to the hospital he succumbed to his injuries.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against three unknown. The name of the petitioner transpired on alleged confessional statement made before the police which is inadmissible. No incriminating article has been recovered from the petitioner's possession. In spite of the informant describing the accused persons in the F.I.R. the petitioner has not been put on T.I. parade. He is in



custody since 14.7.2020 and has no criminal antecedent.
Investigation in the case has concluded.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the petitioner having remained in custody for 7 months, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 173 of 2021 (arising out of Baniapur P.S. Case no. 209 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 12th Additional Sessions Judge, Chapra District Saran.

(Partha Sarthy, J)

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