

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37206 of 2022

Arising Out of PS. Case No.-556 Year-2021 Thana- ARARIA District- Araria

CHANDAN KUMAR SAH SON OF DILIP SAH Resident of Om Nagar,
Ward No.-9, Police Station and District-Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Sharma Mr. Kumar Ravish Mr. Siddhi Aashana
For the Opposite Party/s	:	Mr. Kalyan Shankar
For the State	:	Ms. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 302 and 201 read with 34 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, the informant's elder brother used to run an e-rickshaw. On 04.07.2021, he didn't come back to his house. Accordingly, a search was made but his brother could not be located anywhere, it is next alleged that on the very next morning on 05.07.2021, at about 6:00 A.M., the



informant received an information that some unknown criminals shot the informant's elder brother dead and threw the dead body near the road to conceal the evidence. Thereafter, the informant reached the place of occurrence and identified the deceased as his elder brother, further the e-rickshaw was also missing.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. and the name of the petitioner has sprung up in the confessional statement of co-accused Md. Amanullah. It is further submitted that one of the co-accused has already been granted bail by Co-ordinate Bench of this Court vide order dated 23.05.2022 passed in Cr. Misc. No. 72049 of 2021. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.08.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of detention, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Araria in connection with Araria P.S. Case No. 556 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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