

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46758 of 2021

Arising Out of PS. Case No.-52 Year-2018 Thana- MANJHI District- Saran

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1. APU SHAH @ APPU SHAH Son of Ganesh Shah Resident of Village - Mubarakpur, Police station - Manjhi, District- Saran.
 2. Rajan Singh Son of Sanjay Singh Resident of Village - Mikati, Police Station - Raghunathpur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 25-03-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, the husband of the informant who was sleeping was stabbed to death by unknown accused persons.

It is submitted by learned counsel for the petitioners that from perusal of the F.I.R., it would transpire that there are no eye witness to the occurrence. Suspicion has been raised in the F.I.R. against Mantu Singh and Umesh Sharma and not the petitioners herein. The petitioners have been falsely implicated



on the basis of confessional statement of co-accused made before police which is inadmissible. The petitioners are in custody since 19.1.2021 and 28.4.2021 and investigation in the case is complete.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the material that has transpired in course of investigation and there being no eye witness to the occurrence, the Court directs the two petitioners to be enlarged on bail in connection with Sessions Trial no.343 of 2021 (arising out of Manjhi P.S. Case no.52 of 2018) on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge X, Saran.

(Partha Sarthy, J)

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