

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47529 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- JADIA District- Supaul

SATYANARAYAN MALLAH @ SATTO MALLAH Son of Sarjug Mallah
R/O Khoont Thakurbadi, Ward No. 08, Police Station Jadiya and District -
Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307, 326, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, as a result of firing having taken place it is stated that the father of the informant sustained gunshot injuries. It is further stated that niece of the informant saw the accused Amit Sardar and one another running away.

It is submitted by learned counsel for the petitioner that on account of the injured having died section 302 of the Indian Penal Code was added. It is further submitted that the petitioner is not named in the FIR. His name transpired in



course of investigation when on an alleged confessional statement of the petitioner himself made before police, it was stated that he confessed to having committed the crime along with the FIR named accused Amit Sardar. It is submitted that besides the confession which is an inadmissible no other material has transpired in course of investigation to connect the petitioner with the alleged crime. The petitioner is in custody since 27.2.2021 and investigation in the case has concluded.

Heard learned APP 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 over 1 year, the petitioner is directed to be enlarged on bail in connection with S.T. no. 161 of 2021 (arising out of Jadiya P.S. Case no. 33 of 2021) 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 Addl. District and Sessions Judge V, Supaul.

(Partha Sarthy, J)

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