

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51375 of 2021**

Arising Out of PS. Case No.-40 Year-2021 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Sanjeet Singh @ Muggu Singh S/O Bhola Singh R/O Village-Dubhal, P.S-
Magadh Medical, District-Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Adarsh Singh- Advocate
For the Opposite Party/s	:	Mr. Md. Mushtaque Alam- A.P.P.
For the Informant	:	Mr. Rahul Kumar Singh- Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-02-2022 Heard learned senior counsel for the petitioner,

learned counsel for the informant and learned APP for the State

through video conferencing.

The petitioner seeks bail in connection with Magadh
Medical P. S. Case No.40 of 2021, instituted for the offences
under Section 302/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 29.01.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

The learned senior counsel for the petitioner submits
that the informant alleges that on 24.01.2021, his father
(deceased) went to the house of Akhilesh Yadav at 6.00 P.M.,



thereafter at 8.15 P.M., Bittu Singh came at the house of the informant and informed that five persons were assaulting his father at Naili Dubhal Road with lathi and rod. Accordingly, the informant went to the place of occurrence and found nothing and on 25.01.2021 at about 10.00A.M., dead body of the deceased was found near the field of Mithilesh Singh and a mobile was also recovered near the deceased body. Accordingly, the F.I.R. was instituted against unknown.

The learned senior counsel for the petitioner submits that the F.I.R. was against unknown and the name of this petitioner transpired in the confessional statement of Bittu Singh, who has been granted bail by order dated 17.01.2022 in Cr. Misc. No.47196 of 2021.

The learned senior counsel further submits that since the person in whose confession, the name of this petitioner transpired has been granted bail and as such, the petitioner also deserves to be released on bail.

The learned counsel for the informant as well as learned A.P.P. for the State opposes the bail application and the learned counsel for the informant submits that the trial is going on and out of eight witnesses, three witnesses have been examined, but is not able to meet the submission of learned



senior counsel for the petitioner that the person in whose confession the name of this petitioner transpired has been granted bail.

Considering the fact that the petitioner is in custody since 29.01.2021, he is a person with clean antecedent, charges have been framed and co-accused has been granted bail in whose confession, the name of this petitioner transpired, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XII, Gaya in connection with Magadh Medical P. S. Case No.40 of 2021, in the event, if the petitioner does not appear in the trial on two consecutive dates, the learned Court below will be at liberty to cancel his bail bonds forthwith.

The application stands allowed.

(Satyavrat Verma, J)

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