

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51789 of 2021

Arising Out of PS. Case No.-73 Year-2018 Thana- BHARGAMA District- Araria

Satya Narayan Mallah @ Sarta Mallah Son of Saryug Mallah R/o Village-
Khunt Thakurbari, Ward No.8, P.S.- Jadia, District- Supaul, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-02-2022 Heard learned counsel for the petitioner and Shri Raj
Ballabh Singh, learned A.P.P. for the State through virtual Court
proceedings.

The petitioner seeks bail in connection with
Bhargama P.S. Case No. 73 of 2018 instituted for the offences
under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 27.02.2021 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that he received information that an unknown
dead body was lying near J.C.B. Canal, accordingly the
informant reached the place of occurrence and found the dead
body lying near the canal and thus it is alleged that criminals



after killing the deceased with a view to conceal the body had thrown the same near the canal, further the dead body had several injury marks on the body and the head.

Learned counsel for the petitioner submits that name of this petitioner transpired in the confessional statement of co-accused Shambhu Sah and on basis of the call records of the deceased. Learned counsel further submits that apart from confessional statement there is nothing which could even remotely connect the petitioner with the offence and as far as call records are concerned, that in no manner suggest that merely for talking with the deceased, the petitioner can be implicated for his murder. It is further submitted that co-accused Shambhu Sah and Sita Devi have been granted bail vide order dated 01.02.2019 passed in Cr. Misc. No. 79352 of 2018.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that petitioner has antecedent of two cases and he also did not surrender after institution of the F.I.R. and came to be arrested on 27.02.2021 only.

Considering the fact that the petitioner is in custody since 27.02.2021, charge-sheet has been submitted in the case and his name transpired in the confessional statement of co-



accused who has been granted bail, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 73 of 2018 with a condition that one of the bailor shall be the father of the petitioner (Saryug Mallah).

(Satyavrat Verma, J)

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