

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59328 of 2021

Arising Out of PS. Case No.-466 Year-2020 Thana- MINAPUR District- Muzaffarpur

Shantnu Kumar Singh @ Shantanu Kumar Singh Son of Chitranjan Singh
Resident of Village - Bhoraha, P.S.- Belsand, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Minapur
P.S. Case No. 466 of 2020 registered for the offence under
Sections 302, 120(B) and 34 of the Indian Penal Code and 27 of
the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 05.02.2021.

The allegation against the petitioner is to commit
murder of the husband of the informant, while she was returning
after attending a marriage ceremony, along with other co-
accused persons.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is not named in the FIR and his name surfaced much later on, during the course of investigation, while apprehending in Minapur P.S. Case No. 472 of 2020. It is submitted that in furtherance of self-confession, no incriminating material recovered/surfaced which may connect this petitioner, *prima facie*, with present set of occurrence. It is further submitted that as informant claimed to be an eye witness of the occurrence, petitioner was not put on TIP. It is also submitted that one of such not named co-accused person, namely, Ratan Kumar, has already granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 67020 of 2021 vide order dated 13.09.2022. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above, as petitioner is not named in the FIR, despite of the fact that informant is eye witness of the occurrence, where nothing surfaced, during the course of investigation, to connect



petitioner, *prima facie*, with present occurrence coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 05.02.2021, let the petitioner, above named, is directed to be released on bail in connection with Minapur P.S. Case No. 466 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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