

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67381 of 2021**

Arising Out of PS. Case No.-93 Year-2020 Thana- PARSAUNI District- Sitamarhi

SHANTANU KUMAR SINGH S/O CHITRANJAN SINGH R/o village-
Bhorha, P.S.- Belsand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 09-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Parsauni
P.S. Case No. 93 of 2020 registered under Sections 302, 34 of the
Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is in custody since 25.08.2021, charge-sheet has been
submitted in the case and has antecedent of four cases and the
informant alleges that he received an information that some
unknown criminals fired on his brother (Sunil Kumar) causing
injury on his head, it is further alleged that the informant with the
help of the police took his brother to Sadar Hospital where doctor
declared him dead.

Learned counsel for the petitioner submits that the F.I.R.



was against the unknown, the name of the petitioner transpires during the course of investigation in the statement of witnesses Amzad Alam and Jafir Ansari as recorded at Para 50 and 51 wherein they have stated that they had seen the petitioner alongwith two other accused going behind the Tempo of the deceased. The learned counsel for the petitioner submits that at best from the statement made by the witnesses before the police it appears that they are not eye witness to the occurrence rather they had only seen the petitioner alongwith other accused persons going behind the Tempo, as such the entire allegation is around suspicion. The learned counsel submits that there is no eye witness to the occurrence and the petitioner has been implicated merely because of suspicion and his previous criminal antecedent.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 25.08.2021, charge-sheet has been submitted and is not named in the F.I.R. and taking into consideration the submission made by the learned counsel for the petitioner that there is no eye witness to the occurrence, let the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where



the case is pending/successor court in connection with Parasauni P.S. Case No. 93 of 2020, with a condition that one of the bailors shall be father of the petitioner Chitranjan Singh. The petitioner shall be released only after the learned court below from the case diary is satisfied that there is no eye witness to the occurrence of killing.

(Satyavrat Verma, J)

ved/-

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