

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71893 of 2021

Arising Out of PS. Case No.-119 Year-2019 Thana- TANKUPPA District- Gaya

Santosh Prasad @ Santosh Yadav Son of Mithlesh Yadav Resident of Village -
Pantyi, P.S.- Fatehpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deep Nishi, Adv.

For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through the virtual
court proceeding.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120B of the Indian
Penal Code.

Petitioner is said to have murdered the husband of the
informant.

It is submitted by learned counsel for the
petitioner that petitioner is innocent, not named in the FIR and
has been falsely implicated in this case. He submits that there is



no eye witness to the said occurrence and only on the basis of suspicion, petitioner has been made accused in this case. He submits that charge has already been framed against the petitioner. He further submits that petitioner has two criminal antecedent as stated in para-3 of this application and he is languishing in judicial custody since 18.12.2019.

Learned APP for the State opposes the prayer for bail and submits that petitioner is involved in the present case and in the case diary witnesses have supported the prosecution case.

Considering the facts and circumstances of the case, the above named petitioner, be enlarged 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 the learned court below where the case is pending/successor court in connection with Tankuppa P.S. Case No. 119 of 2019.

However, the learned court below is directed to accept the bail bond of the petitioner, if charge is framed.

(Anjani Kumar Sharan, J)

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