

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2902 of 2023**

Arising Out of PS. Case No.-351 Year-2022 Thana- TRIVENIGANJ District- Supaul

SANTOSH KUMAR SON OF BRAHMADEV YADAV R/O VILLAGE-
KASHAHA, WARD NO.1, P.S.- TRIVENIGANJ, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Satyendra Narayan Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 27-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 302 of the Indian
Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, at night of 21.07.2022
husband of the informant (deceased) was killed while he was
sleeping in his cattle-shed and in the morning when informant
went to awake her husband, she found that her husband was
lying dead in pool of blood.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. No one is
eye witness of the alleged occurrence. In confessional statement
of co-accused Bhushan Yadav, name of the petitioner has been



surfaced in the present case before the police, which has no evidentiary value in the eye of law. Save and except confessional statement, no consistent material has come against the petitioner. During investigation, it has come that due to land dispute, co-accused Bhushan Yadav attempted to kill his father, prior to this occurrence. Petitioner is languishing in judicial custody since 18.08.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Supaul in connection with S.T. No. 443 of 2022 arising out of Triveniganj P.S. Case No. 351 of 2022.

(Sunil Kumar Panwar, J)

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