

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7548 of 2023**

Arising Out of PS. Case No.-436 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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Sagar Kumar Singh @ Sagar Kumar S/O Butai Singh R/O Village-
Chiknauta, P.S.- Sugauli, Distt- East Champaran At Motihari.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, Addl. Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 25-04-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302, 120(B) and 34 of the
Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, unknown miscreants
fired upon Sanjay Kumar thakur and later on he died.

Learned counsel for the petitioner submits that he has
falsely been implicated in this case. He submitted that the
petitioner is not named in the FIR. The name of the petitioner
has been transpired during investigation only on the basis of
confessional statement of co-accused Harishankar Kumar,
which has no evidentiary value in the eyes of law. He further
submitted that there is no consistent evidence, no eye-witness of



the occurrence to show that the petitioner was involved in the said crime. Petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate , East Champaran at Motihari, in connection with Govindganj (Areraj) P.S. case no 436 of 2022 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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