

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11965 of 2023

Arising Out of PS. Case No.-594 Year-2022 Thana- BARH District- Patna

Bachchan Singh Son of Late Bhageran Singh Resident of Village- Alodiya
Sarai, P.S.- Manpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 224/34 of the Indian
Penal Code. Later on Sections 225, 201, 120B, 211 of the
Indian Penal Code has been added.

As per prosecution case, three notorious criminals
escaped from the Court custody when they were brought to the
Court for appearance by breaking wall of the bathroom of the
Hazat. The name of the petitioner transpired during
investigation as the accused who helped the prisoners to escape
from the Court custody.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and



his name transpired in this case during investigation, on the basis of confessional statement of co-accused Kundan Kumar which has no evidentiary value in the eye of law. It is further submitted that none of the mobile phone, which was investigated by the police belong to the petitioner. The said mobile number belonged to the son of the petitioner namely Sanjeev Kumar, which was used by the co-accused Manish Kumar Singh and Rajnish Kumar Singh in the jail. It is also submitted that escaped under trials Rajnish Kumar Singh and Manish Kumar Singh were killed in the encounter by the police. During investigation, no cogent material has come against the petitioner which shows his complicity in the alleged occurrence. Other co-accused persons have already been granted bail by a co-ordinate Bench and this Bench vide order dated 18.05.2023 and 17.07.2023 passed in Cr. Misc. No. 22160 of 2023 and 20416 of 2023 respectively. Moreover, the petitioner is languishing in judicial custody since 07.12.2022.

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 as well as period of custody, 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 1st Additional Chief Judicial Magistrate, Barh, Patna in connection with Barh P.S. Case No. 594 of 2022.

(Sunil Kumar Panwar, J)

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