

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14278 of 2023

Arising Out of PS. Case No.-357 Year-2022 Thana- CHANDAUTI District- Gaya

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Santosh Kumar S/O Ashok Kumar R/O Mohalla- Kujapi, P.S.- Chandauti,
District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanket

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 28-07-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Chandauti P.S. Case No. 357 of 2022 registered for the offence
under Sections 302, 201/34 of the Indian Penal Code and under
Section 25(1-b)a, 26, 27 of the Arms Act.

3. As per the prosecution case, one unknown dead
body was recovered, F.I.R. was registered against unknown and
the deceased was shot dead.

4. Learned counsel for the petitioner submits that
the petitioner is in custody since 29.08.2022 and he used to help
the mother of the deceased as the deceased was staying in
Ludhiyana.

5. Learned A.P.P. has vehemently opposed the



prayer for bail.

6. I have considered the submissions of the parties.

7. During investigation, *Nitish Kumar* and *Rohit Kumar* have been arrested. The pistol used in the crime has been recovered from *Nitish Kumar*.

8. It has also come during investigation that *Rohit Kumar* had developed illicit relation with the wife of the deceased and the wife of the deceased has hired the services of *Nitish Kumar* and *Rohit Kumar* for killing the deceased.

9. The wife of the deceased was having illicit relationship with many persons and the petitioner is not involved in the killing of the deceased.

10. The mother of the deceased has filed an affidavit saying that her daughter in law had got her son killed with the help of *Nitish Kumar* and *Rohit Kumar* and the petitioner is innocent and has falsely been implicated in this case.

11. Considering the affidavit/statement of the mother of the deceased, this application for regular bail is allowed.

12. Let the petitioner, above named, be released 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 A.C.J.M. VI, Gaya/concerned Court below in
connection with Chandauti P.S. Case No. 357 of 2022.

(Sandeep Kumar, J)

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