

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15473 of 2023

Arising Out of PS. Case No.-174 Year-2022 Thana- JANDAHA District- Vaishali

SANTOSH KUMAR SINGH S/O- Chhabila Singh, R/O- Village- Bishunpur
PS- Jandaha, District- Vaishali. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 01-09-2023 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Jandaha P.S. Case No. 174 of 2022, registered for offence
punishable under section 302/34 of the Indian Penal Code.

3. As per FIR, on 10.06.2022 at about 9:00 A.M., the
petitioner along with other accused persons came to the house of
informant and the informant's brother, Santosh Kumar went
with them. At about 12:30 P.M. the accused persons threw
Santosh Kumar at his door in unconscious condition after
brutally assaulting him and fled away. Thereafter, he was taken
to hospital where he had died during the course of treatment.

4. It is an admitted fact that charge-sheet has been
submitted in this case under the provisions of the Indian Penal
Code as well as the provisions of Scheduled Castes and



Scheduled Tribes Act. Despite this fact, there is no order of the learned court below on the basis of the police report submitted under Section 173 of the Criminal Procedure Code. Without taking cognizance, the petitioner cannot be put behind the bar. It has also been submitted by the learned counsel for the petitioner that other co-accused persons have been granted bail.

5. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 174 of 2022, subject to the following condition the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

6. The learned court below is directed to release the petitioner immediately after furnishing bail bonds of Rs.10,000/- (Ten thousand rupees).

(Nawneet Kumar Pandey, J)

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