

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23668 of 2023

Arising Out of PS. Case No.-124 Year-2022 Thana- SHYAMPUR BHATHA District-
Sheohar

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Sunny Singh @ Sunny Kumar Singh @ Sunny @ Shani Singh Son of Late
Ram Pravesh Singh R/V- Barkagaon PS- Pakridayal Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 23-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Shyampur
Bhataha P.S. Case No. 124 of 2022 dated 27.06.2022 registered
for the offences punishable under Sections 302 and 120(B) of
IPC and Section 27 of Arms Act.
3. The main submissions advanced by learned counsel for
petitioner are that the petitioner is not named in the FIR, during
investigation his name transpired on the basis of self-
confessional statement which has no evidentiary value and
petitioner was remanded in the present matter from Shyampur
Bhataha P.S. Case No. 168 of 2022 and as per FIR the main
allegation of committing murder of the deceased is against four

named co-accused persons namely, Nitesh Kumar Singh, Amit Kumar Singh, Lalu Singh and Gautam Singh but the name of this petitioner did not find place in the FIR and five co-accused persons namely, Vinay Kumar Singh @ Binay Singh, Dilip Kunwar @ Dilip Singh, Ravindra Singh @ Ravindra Kunwar, Mukesh Singh and Dhiraj Kumar Singh @ Lalu Singh have been granted bail by different benches of this Court vide orders passed in Cr. Misc. No. 48169 of 2022, Cr. Misc. No. 49700 of 2022, Cr. Misc. No. 51453 of 2022, Cr. Misc. No. 63320 of 2022 and Cr. Misc. No. 67248 of 2022 respectively and after the petitioner's remand in the present matter he was not put on *test identification parade* and no incriminating material was recovered in following with his self-confessional statement which is stated to have been recorded by him in Shyampur Bhataha P.S. Case No. 168 of 2022 and against him there is criminal antecedent of one case in which he is on bail and he has been languishing in jail since 02.11.2022 and against him the investigation has been completed.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the facts that the petitioner is not named in the FIR and he is not alleged

to be one of the assailants detailed in the FIR and several co-accused persons named above are on bail and against the petitioner, investigation has been completed in the present matter, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner 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 concerned Court in connection with **Shyampur Bhataha P.S. Case No. 124 of 2022.**

(Shailendra Singh, J)

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