

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26837 of 2023

Arising Out of PS. Case No.-610 Year-2022 Thana- DARIYAPUR District- Saran

Sanjeet Kumar Gupta, S/o Ram Narayan Gupta, R/O Village- Gopalpur, P.S-
Nayagao, District.- Saran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajkumar Rajesh, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh,APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 04-08-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with S.T. No. 112 of 2023 arising out of Dariyapur P.S. Case No. 610 of 2022 dated 11.11.2022 registered for the offence(s) punishable under Section(s) 364/34 of the Indian Penal Code and chargesheet has been submitted under Sections 302, 365, 201/34 of the Indian Penal Code.
3. The main submissions advanced by the learned counsel for the petitioner are that the informant is not eye-witness of the alleged occurrence and he simply raised suspicion against co-accused Sham Babu Rai and Sunny Kumar and during investigation the said Sham Babu Rai was arrested and



he made his confessional statement in which he revealed the name of this petitioner being involved in the alleged crime, except the said confessional statement, there is no material against this petitioner to show his involvement in the alleged crime and without getting the dead body of the victim the petitioner has been charge-sheeted under Section 302 of the Indian Penal Code and he has been languishing in jail since 13.11.2022. Further submissions are that the co-accused Sham Babu Rai @ Shyambabu Rai, on whose statement the name of this petitioner came into light, has been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 22372 of 2023, petitioner is not named in the FIR and he has fair and clean antecedent and against him the investigation has been competed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the facts that the petitioner is not named in the FIR and as per above submission his name in the alleged crime came into light in the statement of co-accused Sham Babu Rai @ Shyambabu Rai, who is on bail and against the petitioner the investigation has been competed and he has been languishing in jail since



13.11.2022, in my opinion, in the said circumstances, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail in connection with S.T. No. 112 of 2023 arising out of Dariyapur P.S. Case No. 610 of 2022 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Rajiv/-

U		T	
---	--	---	--

