

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23114 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- BIKRAM District- Patna

NIRANJAN SAW SON OF LATE BASHUDEV SAW @ BASU DEV SAV
R/O- VILLAGE- NAGAHAR, P.S.- BIKRAM, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-01-2023

Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states that her husband who had started from home to get milk did not return. After sometime she got information that her husband was killed. It subsequently transpired that the four accused persons were present at the Damroo Hotel where he had gone to get milk.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. In course of investigation the son of the informant and deceased was implicated and in his confessional statement he confessed to have conspired with the accused persons and having given effect to the occurrence. Even as per the said confessional statement, learned counsel for the



petitioner submits that it is Ranjit Yadav who is the assailant of the deceased while the petitioner is also named as one of the persons who was present at the place of occurrence. No overt act has been alleged against him. The petitioner is in custody since 7.2.2022 and investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation including the confessional statement of the son of the deceased together with the petitioner having remained in custody for 11 months since 7.2.2022, the petitioner is directed to be enlarged on bail in connection with Bikram P.S. Case no. 97 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Danapur, Patna.

(Partha Sarthy, J)

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