

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40945 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Abhay Sinha @ Sona Son Of Ravindra Kumar Sinha R/O Mohalla-
Faizalganj, Saket Nagar, P.S.- Sasaram (Town), District- Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 44855 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Ganesh Tiwari Son Of Milan Tiwari R/O Village- Dharupur, P.S.-
Bikramganj, District- Rohtas (Bihar)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 49887 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- SASARAM NAGAR District- Rohtas

ROCKY RAJ S/o Dayal Singh @ Shri Dayal Singh R/o Mohalla- Ward
No.05, Mahavir Asthan Kuraich, P.S.- Sasaram Town, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40945 of 2022)

For the Petitioner/s : Mr.Mithilesh Kumar Singh

For the Opposite Party/s : Mr.Parmanand Kumar

(In CRIMINAL MISCELLANEOUS No. 44855 of 2022)

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Mr.Yogendra Kumar

(In CRIMINAL MISCELLANEOUS No. 49887 of 2022)

For the Petitioner/s : Mr.Vishwajeet Kumar Mishra

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR



ORAL ORDER

3 10-01-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek regular bail in connection with Sasaram (Darigaon) P.S. Case No. 106 of 2022 registered for the offence under Sections 302, 201, 120B of the Indian Penal Code and Section 27 of Arms Act.

The prosecution story is that when the informant's grandson did not return home then his mother inquired and found that he was with one Sona but next morning the informant come to know that a lying dead body near canal is of his grandson namely, Abhishek Raj thereafter the F.I.R. has been lodged against unknown.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners were not named in FIR. During investigation, from confessional statement of petitioner Abhay Sinha, it is apparent that Ganesh Tiwari killed the deceased by fire arm but the fire arm has not been recovered by the police and one another pistol has been recovered at the instance of petitioner Abhay Sinha but the same has not been used in the crime therefore section 27 of the Arms Act will not attract against the petitioner. Neither the petitioners have put on T.I.P. nor any incriminating article has



been recovered from their possession. There is no eye witness of the present occurrence. Save and except confessional statement, no consistent material has come against the petitioners to implicated in the present case. It is further submitted that the petitioners namely, Abhay Sinha, Ganesh Tiwari & Rocky Raj are languishing in judicial custody since 25.3.2022, 25.5.2022 and 8.6.2022 respectively.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sasaram (Darigaon) P.S. Case No. 106 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sasaram, Rohtas.

(Sunil Kumar Panwar, J)

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