

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40949 of 2023

Arising Out of PS. Case No.-353 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Santosh Kumar Son Of Late Ram Dayal Rai Village- Panapur Langa Ps-
Hajipur Sadar Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code and Section 27 of Arms Act.

Prosecution case in short, is that, the co-accused person had threatened the informant's brother to kill and thereafter, one day, the informant came to know that his brother has been killed by the accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The petitioner is not named in F.I.R. rather his name came into light in this case on the basis of confessional statement of other co-



accused persons, namely, Brajesh Rai and Jugnu Thakur before the police. It is further submitted that nothing incriminating article has been recovered from the conscious possession of the petitioner. It is also submitted that similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide Annexure-2 of this petition. Moreover, the petitioner is languishing in judicial custody since 15.03.2023.

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 as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Sadar P.S. Case No. 353 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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