

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42514 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- JAMOBABAZAR District- Siwan

SANTOSH KUMAR SINGH @ SANTOSH SINGH Son of Dharmnath Singh @ Dharmnath Singh R/o village - Hariharpur Lalgadh, P.S.- G.B. Nagar, District – Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 20-02-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

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

As per allegation in the FIR, two motorcycle borne criminals came to the house of the informant and started indiscriminate firing upon his uncle who was sitting on cot outside the house. Informant took him for treatment to Sadar Hospital where doctor has provided him first aid and referred to Patna for better treatment. On way to Patna he died at Amnaur.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He is not named in the FIR. Informant is the eye witness of the



occurrence but he has not named the petitioner. One police spy has disclosed the name of Dilip Singh and petitioner. On the basis of conversation made by the petitioner through mobile with the co-accused Dilip Singh, he has been made accused in the present case and then. Police has arrested both of them and taken confessional statement of co-accused Dilip and self confessional statement of the petitioner, which has no evidentiary value in the eye of law. Nothing incriminating article has been recovered from the possession or from the house of the petitioner. Similarly situated other co-accused person has already been granted bail vide order dated 15.02.2023 passed in Cr. Misc. No. 9630 of 2023 by a different co-ordinate Bench of this Court. Petitioner is languishing in judicial custody since 13.01.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned



Additional District and Sessions Judge -IV, Siwan in connection
with Jamo Bazar P.S. Case No. 06 of 2022.

(Sunil Kumar Panwar, J)

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