

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59828 of 2022

Arising Out of PS. Case No.-33 Year-2021 Thana- PIPRA District- Supaul

SANTOSH SHARMA Son of Late Lachai Sharma Resident of village-
Laxmipur Bhagwati, P.S- Srinagar, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-02-2023 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 398, 302, 307, 120(B) of the Indian Penal Code and Section 25(1-b)A/27/35 of the Arms Act.

As per prosecution story, six unknown miscreants entered into the shop of informant's son namely, Govind Kumar and started looting on the point of firearms. On protest, culprits fired upon the chest of the informant's son due to which he succumbed to injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this present case on the basis of suspicion. During



investigation, co-accused persons disclosed the complicity of the petitioner in their confessional statement. It is further submitted that nothing incriminating article has been recovered from possession of the petitioner which connect his involvement in this offence. Moreover, similarly situated co-accused namely, Panchanand Das has already been granted bail by a coordinate bench of this court vide order dated 18.1.2023 in Cr. Misc. No. 56934 of 2022. The petitioner is languishing in judicial custody since 18.6.2021.

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 petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pipara P.S. Case No. 33 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-I-cum-Special Judge, Supaul.

(Sunil Kumar Panwar, J)

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