

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73317 of 2022

Arising Out of PS. Case No.-427 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Sunni Singh @ Suraj Kumar Singh Son of Sushil Singh @ Sushil Kumar Singh R/o Mohalla- Hathsarganj, P.S.- Hajipur Town, District- Vaishali, At present- R/v- Adalwari, P.S.- Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-03-2023 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 427 of 2019 registered for the offence under Sections 302 and 120(B) of the Indian Penal Code (for short 'I.P.C.') and under Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and is in custody since 29.04.2022.

The allegation against the petitioner is to commit murder of the brother of informant alongwith other co-accused persons by causing firearm injuries, due to certain property



related disputes, as suspected through F.I.R.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused, namely, Pankaj Kumar and Chandan Kumar in furtherance of which no incriminating material recovered/surfaced to connect this petitioner, *prima facie*, with present occurrence of murder. It is submitted that petitioner was not put on TIP, as yet. It is also pointed out that said Pankaj Kumar@Bhulla has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. 25192 of 2020 vide order dated 23.09.2020. It is submitted that petitioner named in present case only for the reason that he was found involved in four criminal cases, where he is on bail in two cases and in maximum of the cases, his name surfaced on the basis of confessional statement, as of the present case, having otherwise no bearing over the merit of the present case. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.



Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced during the course of investigation to connect this petitioner, *prima facie*, with present occurrence coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Hajipur Sadar P.S. Case No. 427 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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