

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23035 of 2024**

Arising Out of PS. Case No.-163 Year-2023 Thana- CHERIYA BARIYARPUR District-  
Begusarai

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Satyam Anand @ Satyam Kumar Son of Dilip Prasad Singh Resident of  
Village- Manjaul Ward No. 6, P.S. Cheria Bariarpur, Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr. Chandan Kashyap, Advocate |
| For the Informant    | : | Mr. Rajesh Kumar, Advocate    |
| For the State        | : | Mr. Murli Dhar, APP           |

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

4      05-07-2024                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

2. Petitioner seeks regular bail in connection with  
Cheria Bariarpur (Manjhoul) P.S. Case No. 163 of 2023 dated  
25.06.2023 registered for the offences punishable under  
Sections 302, 201, 120B read with Section 34 of the Indian  
Penal Code and Section 27 of Arms Act.

3. Mr. Chandan Kashyap, learned counsel appearing  
for the petitioner submits that the FIR has been registered  
against unknown persons and during investigation, in the re-  
statement of the informant, the name of this petitioner surfaced  
but merely suspicion was raised by the informant against him.  
He further submits that the petitioner and co-accused persons



Raman Kumar and Rajnish Kumar were arrested in connection with Cheria Bariarpur (Manjoul) P.S. Case No. 195 of 2023 registered under Arms Act in which, it is said that the petitioner and co-accused persons of that case made confessional statement and revealed their implicity in the offence alleged in the present matter and thereafter, they were remanded in the present case and except this, there is no material to connect the petitioner to the alleged crime. During investigation, no one claimed to have seen the occurrence and the petitioner has been languishing in jail since 12.09.2023 and against him, the investigation has been completed.

4. Mr. Rajesh Kumar, learned counsel appearing for the informant submits that though the FIR has been registered against unknown persons but in actual, the brother-in-law of the petitioner was encountered by the police leading to his death and in the said encounter it was believed that the deceased of the present matter played a role of liner in that encounter and on account of the said enmity, the petitioner and co-accused persons committed the crime. It is further submitted that during investigation, the tower location of the phone of this petitioner and co-accused persons was found near the place of occurrence at the relevant time that is a strong circumstance against this



petitioner and others and moreover the petitioner had a strong motive to commit the alleged occurrence.

5. Heard both the sides and perused the FIR and case diary of this case. The FIR has been registered against unknown persons and from the order impugned as well as in the case diary, this court does not find any direct evidence to show the petitioner's connection in the alleged crime and only a suspicion has been raised against him and the investigation has been completed against the petitioner and there is only one criminal antecedent against this petitioner, in which he has got bail as per submission made by petitioner's counsel. Considering these facts, in the opinion of this court, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be **released on bail after framing of charge** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Cheria Bariarpur (Manjhoul) P.S. Case No. 163 of 2023 with following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial court and shall remain physically present as directed by the trial court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence



or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

**(Shailendra Singh, J)**

Rajiv/-

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