

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17760 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- BACHHWARA District- Begusarai

SANTOSH KUMAR, MALE, AGED ABOUT 28 YEARS, S/O- PRAMOD SINGH @ PRAMOD SINGH R/O- VILLAGE- RAJAPUR, P.S.- SINGHAUL (O.P.), DIST.- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 22-03-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Bachhwara P.S. Case No.257 of 2023 registered for the offence under Sections 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per FIR, this petitioner along with other co-accused persons have shot dead the father of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner is not named in the FIR and his name surfaced on the basis of confessional statement of other co-accused persons. It is submitted that there



is no eye-witness to the present occurrence. It is submitted that as per FIR, there is specific allegation against the other co-accused, namely, Sushil Chaudhary. It is also submitted that similarly situated co-accused persons have already been granted bail by one of the learned co-ordinate Bench of this Court as well as this Court through Cr. Misc. No. 82323 of 2023 on 07.02.2024 and Cr. Misc. No.16521 of 2024 on 22.03.2023. It is further submitted that petitioner is in custody since 18.09.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Bachhwara P.S. Case No.257 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Begusarai.

(Ramesh Chand Malviya, J)

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