

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31375 of 2024

Arising Out of PS. Case No.-422 Year-2022 Thana- WAJIRGANJ District- Gaya

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Santosh Kumar @ Santosh Singh, Son of Dani Singh @ Sant Singh, R/o
Mohalla- Kumahar Toli (Manpur), P.S.- Muffasil, District.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Priya Ranjan, Advocate Ms. Chandani Kumari, Advocate Mr. Nitish Kumar, Advocate
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Wazirganj P.S. Case no. 422 of 2022 registered under sections 302, 201 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that a dead body was discovered in a jute bag. On seeing the same it appeared that he had been murdered as there was a gunshot injury in the temple. None of the villagers who had gathered identified the same. As such, an F.I.R. was registered against unknown accused persons.

4. Learned counsel for the petitioner submits that the petitioner was falsely implicated in the case in course of



investigation only for the reason that he happens to be the friend of the deceased. Admittedly, there is no eye witness to the occurrence nor the petitioner has any reason to give effect to the occurrence. Neither in paragraph nos. 42, 43 and 44 nor in the confession of Raju Yadav has any overt act been alleged against this petitioner. The petitioner is in custody since 28.11.2023 and charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the petitioner having remained in custody for 7 months since 28.11.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Wazirganj P.S. Case no. 422 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya.

(Partha Sarthy, J)

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