

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43965 of 2024

Arising Out of PS. Case No.-572 Year-2023 Thana- BIDUPUR District- Vaishali

Santosh Kumar SON OF Late Sakal Ray Village- Ghurdaur Pokhar Dighikala
PS -Sadar Hajipur, DIST- vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the State : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 03-07-2024 Heard learned counsel for the petitioner and learned APP
for the State as well as learned counsel for the informant.

2. The petitioner seeks bail in connection with
Bidupur P.S. Case No. 572 of 2023 instituted for the offence
under Sections 302, 120(B) of the Indian Penal Code and
Section 27 of the Arms Act.

3. Prosecution case in short is that son of the
informant was shot dead by two miscreants, while he was
returning from the factory.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 29-01-2024. Petitioner
bears three criminal antecedents, as per disclosure made in
paragraph No.3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case on extraneous considerations. It is next submitted that there is no eye witness to the occurrence. It is submitted that from perusal of the FIR, it appears that there is no specific allegation against the petitioner. There is general and omnibus allegation against the petitioner. Petitioner has been implicated in this case only on the basis of suspicion which is based on the CDR. Charge sheet has already been submitted in this case. Other co-accused has been granted bail by this Court vide order dated 06-03-2024, passed in Cr. Misc. No. 13788 of 2024.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bidupur



P.S. Case No. 572 of 2023 .

(Rudra Prakash Mishra, J)

Raj Kishore/-

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