

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43605 of 2024

Arising Out of PS. Case No.-168 Year-2023 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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Santosh Kumar Son of Anuj Yadav @ Ramanuj Yadav R/O Vill.- Manjhauli,
P.S.- Bakhtiyarpur (Salimpur), Dist.- Patna, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwa Bijay Kumar, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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

ORAL ORDER

6 26-10-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with S.Tr.
No. 419 of 2024, arising out of Bakhtiyarpur Rail P.S. Case No.
168 of 2023, instituted for the offences punishable under
Sections 302, 120-B, 34 of the Indian Penal Code and Section
27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons fired upon the brother of
the informant due to which he died on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner was not arrested on spot. The dead body was recovered from an open place. The petitioner is in custody since 19.01.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State further submitted that the allegation against the petitioner is specific and serious in nature. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the nature of accusation against the petitioner and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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