

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62567 of 2023

Arising Out of PS. Case No.-223 Year-2021 Thana- SIWAN CITY District- Siwan

SUJIT SAH son of Late Jay Narayan Sah Village- Itwa Ps- Pachrukhi Dist-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 302, 201, 379/34 of IPC and Section 27 of the Arms Act.

As per allegation in the FIR, informant's son went outside without providing information to any family member by his motorcycle and did not return till late night and his mobile was also switched off then a search was made by his family members. During search, he found dead body of his son near chawar of Islamia Nagar and one bullet injury was present on his forehead apart from some other injuries on his body.



It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case due to village politics. Petitioner is not named in the FIR. No one is the eye witness of the occurrence. Nothing incriminating article has been recovered from his conscious possession. His name dragged in this case on the basis of his self confessional statement before the police which has no evidentiary value in the eye of law. Save and except, his self confessional statement, no consistent material has come during investigation to show his involvement in the present case. The other co-accused namely, Pir Mohammad @ Nagru has already been granted bail by this Bench vide order dated 12.04.2023 passed in Cr. Misc. No. 68740 of 2022. Moreover, the petitioner is languishing in judicial custody since 12.04.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned
Court of Additional Sessions Judge-II, Siwan in connection
with Siwan Town P.S. Case No. 223 of 2021.

(Sunil Kumar Panwar, J)

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