

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80097 of 2024

Arising Out of PS. Case No.-391 Year-2024 Thana- GAYA MUFASIL District- Gaya

Santosh Singh @ Santosh Kumar Singh S/o Sant Singh @ Sant Kumar Singh
R/o Mohalla- Kumahar Toli (Manpur), P.S.- Muffasil, District- Gaya present
residing Village- Gere, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Adv

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 391 of 2024 dated 09.05.2024 registered for the offences punishable u/s 302, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the informant received the information that firing was going in the locality and when the father of the informant came out from the Mosque then he received bullet injury and doctor declared him dead during the course of treatment.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in F.I.R. The name of petitioner sprung up in this case merely on the basis of hearsay witness and self confessional statement of the petitioner. Confessional statement before police has no evidentiary value in the eye of law. No incriminating article has been recovered from the conscious possession of the petitioner. Similar situated co-accused person has already been granted bail by this Court vide order dated 23.09.2024 passed in Cr. Misc. No. 62727 of 2024. The petitioner has seven criminal antecedents as stated in paragraph no. 3 of the bail petition. The petitioner is languishing in judicial custody since 02.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Mufassil P.S. Case No. 391 of 2024 with the condition :-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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