

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83060 of 2023

Arising Out of PS. Case No.-200 Year-2021 Thana- MAHARAJGANJ District- Siwan

RAHUL SINGH S/O VIJENDRA SINGH R/O VILLAGE- RUKUNDIPUR,
P.S- DARAUNDA, DISTT.- SIWAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.178 of 2023 (arising out of Maharajganj P.S. Case no.200 of 2021) registered under sections 302 and 120B of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that her family is on litigating terms with the five named accused persons and a case under section 307 of the Indian Penal Code is going on between them. The application for bail of the co-accused has also been rejected. The accused were pressurizing her husband to enter into a compromise or else he would be killed. She further states that the five named accused with three accused also named in the F.I.R. killed her husband.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He is not named in the F.I.R. Referring to the order of the learned trial Court, it is submitted that the name of the petitioner transpired in the confessional statement of co-accused Amit Patel and Samrat Singh made before police. No incriminating article has been recovered from the petitioner's possession and the said Samrat Singh has been enlarged on bail by this Court. The petitioner is in custody since 26.11.2022, investigation in the case has concluded and charges have already been framed in the learned trial Court. The petitioner undertakes to cooperate in the trial.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the material that has transpired in course of investigation as also the order of the learned trial Court, the name of the petitioner transpiring in the confessional statement of co-accused Samrat Singh who has already been enlarged on bail and charges have been framed in the learned trial Court together with the petitioner having remained in custody for more than 1 year since 26.11.2022, the Court directs the petitioner to be enlarged on bail in connection



with Sessions Trial no.178 of 2023 (arising out of Maharajganj P.S. Case no.200 of 2021) 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 Sessions Judge, Siwan.

(Partha Sarthy, J)

Saurabh/-

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