

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4438 of 2024**

Arising Out of PS. Case No.-328 Year-2023 Thana- MAGADH MEDICAL COLLEGE Dis-  
trict- Gaya

=====

Santosh Kumar, aged about 26 years (Male), S/O Sanjay Prasad R/O Village-  
Dhaniya Bagicha, P.S- Delha, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND**  
**MALVIYA**

ORAL ORDER

3      14-03-2024                      Heard learned counsel appearing on behalf of the  
  
parties.

2. The petitioner seeks bail in connection with Mag-  
adh Medical P.S. Case No.-328 of 2023 registered for the of-  
fence under Section 302 of the Indian Penal Code and Section  
27 of the Arms Act.

3. As per the prosecution case, it is a case of recov-  
ery of a dead body of the husband of the deceased which was  
thrown in village- Aahar.

4. Learned counsel for the petitioner has sub-  
mitted that petitioner has falsely been implicated in this case. He  
next submits that petitioner is not named in the FIR and his  
name surfaced from the co-accused Shekhar Kumar and he ad-



mitted that he is only using mobile of the deceased as mentioned in the impugned order dated 18.10.2023. Petitioner is in custody since 26.07.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be directed to be released on bail in connection with Magadh Medical P.S. Case No.328 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Gaya.

**(Ramesh Chand Malviya, J)**

Brajesh Kumar/-

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