

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11932 of 2025

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

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Sanjay Singh S/O Late Devsaran Singh R/O Village- Chaura, P.S-
Daniyawan, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwanath Prasad, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

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

ORAL ORDER

3 04-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Bakhtiyarpur (Fatuha) P.S. Case No. 168 of 2023 GR No. 1319
of 2023 instituted for the offences under Sections 302, 120B, 34
of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in short, is that, the accused
persons including the petitioner fired upon the informant's
brother due to which he died on the spot.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is not named in the F.I.R. The name of



the petitioner transpired in this case on the basis of confessional statement of the co-accused Santosh Kumar. Learned counsel further submitted that the specific allegation of firing upon the deceased is against co-accused Golu Kumar, Santosh Kumar and Laddo Yadav. Learned counsel further submitted that except confessional statement of the co-accused, there is no cogent material against the petitioner to show his involvement in the alleged occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.10.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that prayer for grant of bail to a co-accused persons has already been rejected vide order dated 19.03.2025 passed in Cr. Misc. No. 77274 of 2024.

6. Considering the aforesaid facts and circumstances of the case, there being no direct allegation of firing upon the deceased as also the period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with S. Tr. No. 419 of 2024, arising out of Bakhtiyarpur Rail P.S. Case No. 168 of 2023.

Alok Verma/-

(Rudra Prakash Mishra, J)

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