

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22158 of 2025

Arising Out of PS. Case No.-139 Year-2024 Thana- HARNAUT District- Nalanda

Santosh Kumar S/o Basant Chaudhary R/o Village- Saksohra, P.S.- Saksohra,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Tej Narayan Singh, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For the Informant	:	Mr. Sushil Kumar Singh, Advocate

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

ORAL ORDER

2 04-04-2025 Heard learned counsel for the petitioner, learned APP for
the State as also learned counsel for the informant.

2. The petitioner seeks bail in Harnaut P.S. Case No.
139 of 2024, instituted for the offences punishable under
Section 302 of the Indian Penal Code and Section 27 of the
Arms Act.

3. The prosecution case, in short, is that, brother of
the informant was shot dead by some unknown miscreants.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner also submits that the petitioner is not named in the



FIR. Name of the petitioner has transpired in this case on the basis of his own confessional statement along with the confessional statement of other co-accused persons in connection with Harnaut P.S. Case No. 154 of 2024 and the same has got no evidentiary value. It is further submitted that as per confessional statement it has come to light that co-accused Bipin and Mousam have shot the brother of the informant. There is no specific allegation attributed against the petitioner. The allegation levelled against the petitioner is general and omnibus in nature. The petitioner is in custody since 29.06.2024 and has got four criminal antecedents. Similarly situated co-accused has been granted bail by this Court vide order dated 21-11-2024, passed in Cr. Misc. No. 72181 of 2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and taking into account the period of custody undergone by 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/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Harnaut P.S. Case
No. 139 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

