

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79308 of 2024

Arising Out of PS. Case No.-382 Year-2024 Thana- BAKHTIYARPUR District- Patna

Santu Kumar @ Manendra Kumar, Son of Janardan Singh @ Janardan Yadav
Resident Of Village- Naya Tola, Madhopur, P.S.- Bakhtiyarpur, Dist.- Patna.
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Shivjee Singh, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 329-01-2025
1. Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Bakhtiyarpur P.S. Case No. 382 of 2024 registered for the offence under Sections 103(1), 238, 61(2), 3(5) of Bharatiya Nyay Sanhita, 2023 and Section 27 of the Arms Act.

3. The accused/petitioner is named in the F.I.R. and is in custody since 16.07.2024.

4. The allegation against the petitioner is to commit murder of son of the informant alongwith other co-accused persons, where allegation against this petitioner is also to call deceased from his home, on 03.07.2024 at about 6:00 PM.

5. Learned Counsel appearing on behalf of the petitioner submitted that the petitioner implicated falsely with



present case merely on the basis of suspicion as he called deceased from his house in evening out of his neighbourhood acquaintance. It is submitted that save and except the last seen and also as to call deceased from home, nothing appears incriminating against this petitioner during course of investigation. It is further submitted that the face of FIR clearly speaks that during the time of actual physical assault a call was received by another son of the informant, namely, Rohit Kumar on his mobile made by the deceased, where he did not name any person including this petitioner as who are involved in actual physical assault, causing his death. While concluding the argument, it is submitted that the investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer of bail.

7. Considering the facts and circumstances and by taking note of fact as save and except suspicion arising out of the allegation of calling deceased from home by petitioner and also the last seen with other co-accused persons, nothing



appears incriminating against this petitioner, where deceased even failed to name this petitioner, while he called his brother during occurrence as per FIR, coupled with the fact that investigation of this case is already completed, where petitioner is in custody since 16.07.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Bakhtiyarpur P.S. Case No. 382 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Barh, District-Patna/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. /Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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