

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27785 of 2019

Arising Out of PS. Case No.-501 Year-2018 Thana- BIKRAMGANJ District- Rohtas

RAHUL KUMAR Son of Shiv Bachan Singh Resident of Village- Dhawan,
P.S.- Bikramganj, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay
For the Opposite Party/s : Mr. Raj Kishore Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 01-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 307, 379
& 120 B of the Indian Penal Code.

While the informant along with his companion,
namely, Khakharu Mahto alias Chhathu Mahto was regressing
to his house on bullet motorcycle on the way two unknown
motorcycle borne criminals resorted firing upon the informant
and snatched away belongings of his companion. The
informant has claimed that petitioner along with four other
named accused persons by hatching conspiracy got the
aforesaid fire made upon the informant due to previous



animosity. During the course of treatment the informant succumbed to injury.

Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. The petitioner is quite innocent and has been falsely implicated in this case. There is no eye witness of the occurrence even the companion of the informant, namely, Khakharu Mahto alias Chhathu Mahto has also not named the petitioner as a person involved in the occurrence. The allegation of hatching conspiracy levelled against the petitioner is not specific rather general and omnibus in nature. Barring one case lodged against him by the informant, there is no other case pending against the petitioner.

Per contra, learned APP for the State opposing the bail petition submitted that the sister-in-law (Bhabhi) of the petitioner had illicit affairs with the informant and lastly he has performed marriage giving divorce to his brother and due to the aforesaid grudge, the petitioner by hatching conspiracy eliminated the informant.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Additional Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No. 501 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

Trivedi/-

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

