

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82411 of 2019

Arising Out of PS. Case No.-304 Year-2019 Thana- KHAJEKALA District- Patna

MAHESH KUMAR @ MUKESH KUMAR @ RAGHU @ MIKU YADAV
S/o Jabahir Gop @ Jawahar Gop Resident of Village- Lala Tola, Shah Ki
Imali, P.S.- Khajekalan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 77316 of 2019

Arising Out of PS. Case No.-304 Year-2019 Thana- KHAJEKALA District- Patna

RAJA CHAUDHARY S/o Kallu Chaudhary Resident of Village- Lala Tola
Khajekalan, Police Station- Khajekalan, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 86840 of 2019

Arising Out of PS. Case No.-304 Year-2019 Thana- KHAJEKALA District- Patna

RAMJI SINGH @ RAM SINGH Son of Shri Bangali Singh @ Bangali
Mahto Resident of Village - Lal Toli, P.S.- Khajekalan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 82411 of 2019)

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Veena Rani Prasad

(In CRIMINAL MISCELLANEOUS No. 77316 of 2019)

For the Petitioner/s : Mr.Jay Ram Prasad

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

(In CRIMINAL MISCELLANEOUS No. 86840 of 2019)

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh



CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 28-05-2020 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek regular bail in connection with Khajekalan P.S. Case No. 304 of 2019 registered for the offence under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. In fact, altogether six persons have been implicated in this case merely on the basis of suspicion which is evident from the prosecution version itself. There is no eye witness to the alleged occurrence. The petitioner of Cr. Misc. No.82411 of 2019 has been languishing in judicial custody since 06.09.2019 whereas the petitioners of Cr. Misc. No.77316 of 2019 and Cr. Misc. No. 86840 of 2019 have been languishing in judicial custody since 26.07.2019.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that there is direct allegation against the petitioner, Mahesh Kumar @ Mukesh Kumar @ Raghu @ Miku Yadav, who was said to have invited the deceased and taken away from his house.

Considering the facts and circumstances of the case,



let the petitioners namely Raja Chaudhary of Cr. Misc. No. 77316 of 2019 and Ramji Singh @ Ram Sing of Cr. Misc. No.86840 of 2019, be released on bail on furnishing of personal bonds to the satisfaction of learned S.D.J.M., Patna City, Patna in connection with Khajekalan P.S. Case No. 304 of 2019.

So far as petitioner, Mahesh @ Mukesh Kumar @ Miku Yadav, of Cr. Misc. 82411 of 2019 is concerned, this Court, considering the allegation levelled against this petitioner, is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner is rejected.

(Arvind Srivastava, J)

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