

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15770 of 2021

Arising Out of PS. Case No.-138 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

Rajesh Kumar @ Rajesh Sah Son of Suresh Sah @ Suresh Prasad Resident of
Village - Pratap Patti, P.S.- Sahebganj, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201, 379 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states that his son who works for contractor Rajesh Kumar and Mohan Patel, was killed by them.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating material has transpired in course of investigation to connect the petitioner with the alleged crime. It is submitted that the allegations of assault etc. are not supported from the contents of the postmortem report wherein no ante-mortem



injury has been found either externally or internally. The cause of death has been kept reserved till receipt of the report of the opinion of the chemical analysis. The petitioner is in custody since 16.11.2020, he has no criminal antecedent and charge sheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the contents of the postmortem report and the period in custody, the Court directs the petitioner to be enlarged on bail in connection with Sahebganj P.S. Case no. 138 of 2020 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 1st, West, Muzaffarpur.

(Partha Sarthy, J)

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