

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39795 of 2020

Arising Out of PS. Case No.-350 Year-2020 Thana- SITAMARHI District- Sitamarhi

RATAN KUMAR @ RAJ KUMAR Son of Late Mahendra Mahto, Resident of Village- Nuniya Toli, Ward No. 7, P.S.- Sitamarhi, District- Sitamarhi-843302.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-03-2021 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Prosecution case in brief is that the informant on 10.07.2020 alleging therein that on preceding night, his nephew Raushan Kumar came from Patna at his residence, after taking meal at night he proceeded to go his uncle's residence he got information that his nephew was in Deepak Store's lane lying on the road. Thereafter, they reached there and took away the injured to Sadar Hospital, Sitamarhi where he was referred to S.K.M.C.H., Muzaffarpur, where he was declared dead.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the FIR. On the basis of confessional statement of co-accused namely Raju Kumar @ Gazni, the petitioner has been made accused in this case. There is no overt act against the petitioner. The petitioner is languishing in judicial custody since 05.08.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Sitamarhi P.S. Case No. 350/2020 to the satisfaction of learned Court below where the case is pending.

(Anjani Kumar Sharan, J)

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