

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9158 of 2021

Arising Out of PS. Case No.-237 Year-2019 Thana- SHERGHATI District- Gaya

Dr. Ramchandra Kumar @ Dr. R. Kumar Son Of Mahadev Yadav Resident Of
Village - Daulata, P.S.- Konch, Dist.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Senior Adv.
	:	Mr. Rama Kant Singh
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-09-2021 Heard Mr. Rajendra Narayan, learned senior counsel for the petitioner assisted by Mr. Rama Kant Singh, learned counsel for the petitioner and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Sherghati P.S. Case No. 237 of 2019 registered for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

Allegation against the petitioner is that petitioner in association with other co-accused persons have murdered nephew



and cousin brother (Fufera Brother) of the informant and looted their mobile phone and motorcycle.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that petitioner is not named in the FIR. There is no eye-witness in the present case and only on suspicion petitioner is made accused in the present case. He submits that from perusal of the case diary it appears that there is no specific allegation against the petitioner and the witnesses is only the hearsay witnesses. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as has been mentioned in para 3 of this bail application and he is languishing in custody since 25.09.2020.

Learned APP for the State vehemently opposing the bail petition submits that there is allegation against the petitioner of committing murder of two persons i.e. brother and nephew of the informant and there is ample evidence against the petitioner in para 94 of the case diary which supports the prosecution case.

In the facts and circumstances of the case, I am not inclined to grant privilege of bail to the petitioner in connection with Sherghati P.S. Case No. 237 of 2019 to the satisfaction of Learned A.C.J.M., Sherghati, Gaya.



Accordingly, prayer for bail of the petitioner is hereby rejected.

However, petitioner may renew his prayer for bail **after framing of charge.**

(Anjani Kumar Sharan, J)

GAURAV S./-

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

