

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.24513 of 2021**

Arising Out of PS. Case No.-299 Year-2020 Thana- SAHPUR District- Patna

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ROHIT KUMAR @ ROHIT KUMAR RAM @ ROHIT KUMAR RAI @  
ROHIT RAM SON OF SHANKAR DAS @ SHANKAR RAY @  
SHANKAR RAM R/O NARGADA, P.S.- SHAHPUR, DIST.- PATNA-  
801503

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      17-01-2022                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Shahpur P.S. Case No. 299 of 2020 registered for the offence under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The son of the informant is alleged to have been killed by the petitioner along with his associates by inflicting gun shot injury on his head.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, no specific allegation of assault or inflicting gun shot injury to the deceased is attributed to the petitioner. Rather, the direct allegation of killing the deceased is attributed to the co-accused, Raj Kumar Rai and Vicky Rai, who have already been granted anticipatory bail by the court below itself, the order granting anticipatory bail to the co-accused is annexed as Annexure-2 to the supplementary affidavit filed on behalf of the petitioner. The petitioner has not played any role in the alleged occurrence. The petitioner is rotting in judicial custody since 10.08.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1st, Class, Danapur, Patna in connection with Shahpur P.S. Case No. 299 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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