

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54282 of 2021

Arising Out of PS. Case No.-167 Year-2020 Thana- ROSHANGANJ District- Gaya

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RAGHU BHUIYAN @ RAGHUNANDAN BHUIYAN SON OF
PARMESHWAR BHUIYAN R/O VILLAGE- DUAARI, P.S.- BANKE
BAZAR, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Roushanganj Police Station Case No. 167 of 2020 registered for
the offences punishable under Sections 302/34 of the Indian
Penal Code.

The prosecution case, as per the First Information
Report, is that petitioner, along with other accused persons,
killed the son of informant by pressing his neck by means of
towel.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case due to village



rivalry. He further submits that there was dispute between the petitioner, i.e. Raghu Bhuiyan, and Pradeep Bhuiyan (deceased) with regard to love affair of the deceased with a woman of the village. He also submits that similarly situated co-accused persons, namely, Rajendra Bhuiyan and Andhan Bhuiyan @ Andhan Kumar, have been granted bail by this court, vide order passed in Criminal Misc. No. 38084 of 2021. He next submits that co-accused, Nandu Bhuiyan and Rakesh Bhuiyan, have also been granted bail by this court, vide order passed in Criminal Misc. No. 52031 of 2021. He next submits that petitioner is in custody since 16-11-2020, having no criminal antecedent and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 16.11.2020, having no criminal antecedent, charge-sheet has already been submitted, similarly situated co-accused persons have been granted on bail by this court and the trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.



This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghati Gaya, in connection with Roushanganj Police Station Case No. 167 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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