

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46749 of 2022

Arising Out of PS. Case No.-216 Year-2018 Thana- NOKHA District- Rohtas

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Awdhesh Ram Son of Late Agnu Ram Resident of Village - Hanshanadih,
Police Station - Nokha, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Nokha P.S. Case No. 216 of 2018 lodged under Sections 363/34,
364, 302, 201, 34 of the I.P.C.

As per the prosecution case, the F.I.R. has been
lodged against 6 named accused persons other than the present
petitioner. In the F.I.R., it has been alleged that the named 6
accused persons visited to the house of the informant and called
the brother of informant. He went with them and not returned
upto 10 P.M. On the next day, family members started searching
but he could not be traced. Subsequently, after 3 days of lodging

of the F.I.R., the dead body of the informant's brother was recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that antecedent of the petitioner is clean and he is in custody since 20.12.2022. Learned counsel for the petitioner further submits that from the F.I.R., it transpires that the date of occurrence is 27.07.2018 whereas the present case has been lodged after 3 days i.e. on 30.07.2018 but delay has not been explained. Learned counsel for the petitioner further submits that the name of the petitioner is figured in this case by virtue of confessional statement of the named accused. The said name and other accused were granted bail by the Co-ordinate Bench of this Court vide order dated 27.03.2019 and 14.05.2019 passed in Cr. Misc. No. 4895 of 2019 and 14069 of 2019.

Learned counsel for the State opposes the prayer for bail and submits that case diary is required for disposal of the case.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to

the satisfaction of learned Additional Sessions Judge-16th, Rohtas at Sasaram in connection with Nokha P.S. Case No. 216 of 2018, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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