

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60427 of 2021

Arising Out of PS. Case No.-295 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

ROHIT KUMAR @ ROHIT KUMAR RAM Son of Ganga Mahto R/o
Mohalla - Mirganj, P.S.- Begusarai Town, Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 18-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 120B and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 07.06.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the informant alleges that on account of money dispute of his son (deceased) with Sikander Kumar Ray and Ashish Kumar, they got the son of the informant killed by the petitioner, who fired causing injury on head.

Learned counsel for the petitioner submits that from



bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant is not an eye-witness to the occurrence, further it absolutely does not stand to reason that as to how the informant came to know that Sikander Kumar Ray and Ashish Kumar hatched a conspiracy and got his son killed through this petitioner. Learned counsel further submits that in the entire case diary nothing has come which can even remotely connect the petitioner with the offence and it absolutely does not stand to reason that why a person with clean antecedent would kill someone on mere asking.

In view of the submissions made by the learned counsel for the petitioner case diary was called for on the last date and the same has been received. Learned A.P.P. for the State after going through the case diary very fairly submits that in the entire case diary there is nothing which can even remotely connect the petitioner with the offence nor it has come that how the informant came to know that it was the petitioner who killed his son.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted



in the case and taking into consideration the submissions made by the learned counsel for the petitioner and also that the learned A.P.P. for the State was not in a position to rebut the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Begusarai Town P.S. Case No. 295 of 2021.

(Satyavrat Verma, J)

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