

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62350 of 2021**

Arising Out of PS. Case No.-102 Year-2021 Thana- ROHTAS District- Rohtas

JITENDRA RAM Son of Late Bigan Ram Resident of Village- Tumba, Post-
Ramdihara, P.S.- Rohtas, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 10-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that he received information about his brother having been bitten by a snake. He further states that on reaching the place of occurrence he saw his brother in an injured condition. Information was given to the police and the body was sent for postmortem examination. The informant suspects the hand of the petitioner and one another.

It is submitted by learned counsel for the petitioner that neither in the FIR nor in course of investigation any material has transpired to connect the petitioner with the alleged



crime. The postmortem report does not support the contents of the FIR in so far as no external injury was found on the body of the deceased as the cause of death in the opinion of the doctor is said to be asphyxia due to drowning.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, the contents of the postmortem report wherein no external injury was found on the body of the deceased, there being no eye witness to the alleged occurrence together with the petitioner having remained in custody for more than 11 months since 26.5.2021 the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 196 of 2021 (arising out of Rohtas P.S. Case no. 102 of 2021) 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 Additional District and Sessions Judge-22, District Rohtas at Sasaram.

(Partha Sarthy, J)

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