

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64958 of 2021**

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

SATYENDRA CHOUDHARY Son of Ramchandra Choudhary Resident of
Village- Ranjitganj, P.S.- Rohtas, Dist- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
For the Opposite Party/s	:	Mr. APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 29-06-2022 Heard learned counsel appearing on behalf of the pe-
titioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Rohtas
P.S. Case No. 102 of 2021 registered for the offence under Sec-
tions 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.05.2021.

The allegation against the petitioner is to commit mur-
der of the brother of the informant.

Learned counsel appearing on behalf of the petitioner
submitted that during course of the investigation nothing sur-
faced against the petitioner, which may connect the petitioner



with the alleged occurrence of murder of brother of the informant. It has further been submitted that the allegation as set out in FIR is not in agreement with cause of death as per post-mortem report. It has further been submitted that informant is not eyewitness of the occurrence and the petitioner is man of clean antecedent. It has further been submitted that similarly situated co-accused person has already been granted bail by a learned co-ordinate Bench through Cr. Misc. No. 62350 of 2021 dated 10.05.2022. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that the informant is not eyewitness of the present occurrence.

Considering the facts and circumstances as mentioned above, as no external injury has found upon the body of the deceased negating the allegation as set out in the FIR coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with 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 learned Additional District and Sessions Judge-22nd Sasaram at Rohtas, subject to the following conditions:

“(i) Accused/Petitioner shall co-operate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Ram Ayodhya Kumar, who is the Brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S. Sen-

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