

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6651 of 2023**

Arising Out of PS. Case No.-720 Year-2022 Thana- SITAMARHI District- Sitamarhi

RAHUL KUMAR S/O LATE LAL BABU PRASAD R/o- Kapraul Road,
Ring Bandh, Ward No. 19, P.S. and District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Jha
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh
For the informant		Mr. Santosh Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 11-05-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This is an application for regular bail on behalf of the petitioner for the offences alleged under Sections 302/34 of the Indian Penal Code in connection with Sitamarhi P.S.Case No. 720 of 2022.

At the outset, the learned counsel for the petitioner has submitted that the petitioner is not the assailant of the deceased. The assailant of the deceased is Rahul Thakur, son of Rama Thakur, whereas the petitioner is Rahul Kumar, son of Late Lal Babu Thakur. The allegation against the petitioner is that he assaulted the injured Sahil Jaiswal. He has submitted further that co-accused Pankaj Kumar, who is also the assailant of the injured Sahil Jaiswal, has been granted by a coordinate Bench of this Court in Cr. Misc.No. 10129 of 2023. The petitioner is in custody since 06.10.2022 and is a person of clean antecedent.

On the other hand, the learned APP for the State, assisted by the learned counsel for the informant, has opposed



the prayer for bail, but has fairly admitted that the allegation against the petitioner is similar to co-accused Pankaj Kumar, who has been granted bail by the coordinate Bench of this Court.

Considering the above facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S.CaseNo. 720 of 2022, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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