

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6377 of 2023

Arising Out of PS. Case No.-431 Year-2022 Thana- JAGDISHPUR District- Bhojpur

RAJENDRA RAM @ RAJENDRA PRASAD Son of Late Gulab Ram
Resident of Jagdishpur East, Ward No.-18, P.S.- Jagdishpur, District- Bhojpur
at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mira Kumari

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-05-2023 As prayed for, learned counsel for the petitioner is permitted make some necessary correction in the petition during course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seek regular bail in connection with Jagdishpur P.S. Case No. 431 of 2022 registered for the offence under Sections 147, 149, 341, 323, 302 of the IPC but the charge sheet has been submitted u/s 147, 149, 341, 323, 304 of the Indian Penal Code.

The prosecution case, in short, is that on 29.8.2022 at about 6:30 PM the accused persons including the petitioner came at informant house and pushed the father of the informant



and assaulted him as a result of which informant's father fell down after being unconscious. Thereafter, he was taken to hospital for treatment where he was declared brought to dead.

Learned counsel for the petitioners submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of FIR, the allegation has been made against the petitioner is general and omnibus in nature. There is no specific overt-act is against the petitioner. As per postmortem report which is annexed as Annexure-3, it appears that cause of death of the deceased is due to circulatory and cardio pulmonary arrest. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that other co-accused persons have already been granted bail by this Court vide order dated 11.4.2023 passed in Cr. Misc. No. 7034 of 2023. Moreover, the petitioner is languishing in judicial custody since 30.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be released on bail in connection with Jagdishpur P.S. Case No. 431 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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