

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31058 of 2023

Arising Out of PS. Case No.-831 Year-2022 Thana- BODHGAYA District- Gaya

Rahul Kumar Son Of Rajendra Paswan Resident Of Village - Harijan Colony,
Bodh Gaya, P.S. - Bodh Gaya, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302, 34
of the Indian Penal Code.

As per prosecution case, the allegation against the
accused persons including the petitioner is that they
committed murder of the informant's daughter due to land
dispute.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to previous enmity.
The informant is not an eye witness of the alleged
occurrence and no specific allegation levelled against the



petitioner rather general and omnibus allegation levelled against him. It is further submitted that except suspicion no consistent material has come out against the petitioner. As per Postmortem Report, doctor opined cause of death is asphyxia and shock due to hanging. The petitioner is languishing in judicial custody since 05.12.2022.

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 as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bodh Gaya P.S. Case No. 831 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 Judicial Magistrate, First Clas, Gaya.

(Sunil Kumar Panwar, J)

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