

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31051 of 2023

Arising Out of PS. Case No.-97 Year-2022 Thana- ROHTAS District- Rohtas

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SHEKH MUNSHI S/O LATE EKRAMUL HAQUE @ SHEKH EKRAMUL
HAQUE R/O Village- Akbarpur, P.S- Rohtas, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302 and 34 of the
Indian Penal Code.

The allegation against the petitioner along with
another is of assaulting the father of the informant, namely,
Shekh Yunus, who succumbed to injury.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
dirty village politics. He has committed no offence. As per
Postmortem report, the doctor opined that the cause of death
was due to cardiogenic shock and haemorrhage shock. The
cause of death is not due to assault and the Postmortem report is



not in consonance with the prosecution case. He further submitted that the other co-accused namely, Shekh Nesar @ Shekh Nasir, who is the son of the petitioner has already been granted bail by this Bench vide order dated 12.01.2023 passed in Cr. Misc. No. 48352 of 2022. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 21.10.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case and period of custody as well as petitioner being an old age person, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-9, Rohtas at Sasaram in connection with Rohtas P.S. Case No. 97 of 2022.

(Sunil Kumar Panwar, J)

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