

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34778 of 2023

Arising Out of PS. Case No.-511 Year-2022 Thana- GAYA KOTWALI District- Gaya

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Rohit Kumar @ Rohit @ Maut Son Of Late Pappu Prasad Mohalla-
Dholakiya Gali Makhlautganj Ps- Kotwali Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Kotwali P.S. Case No. 511 of 2022, registered for the offences
punishable under Sections 302, 147, 148 and 149 of the Indian
Penal Code and 27 of the Arms Act.

As per the case of the prosecution, Mohd Faizal, son of
the informant, has been gunshot and murdered by named ten
accused persons and three to four unknown persons.

Learned counsel for the petitioner submits that the



petitioner was not named in the F.I.R. but subsequently during investigation he has also been made accused in this case on the basis of suspicion. No incriminating article has been recovered from the possession of the petitioner. He further submits that similarly situated co-accused, namely, Abhishek Kumar has been granted bail vide order dated 09.05.2023 in Criminal Misc. No. 8590 of 2023. Charge-sheet has already been submitted. Petitioner has two criminal antecedents in which he is on bail. Petitioner is in jail custody since 08.01.2023

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 511 of 2022 with subject to the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in



violation of the terms of the bail, the bail bond of the petitioner
will be liable to be cancelled by the court concerned.

(Sunil Dutta Mishra, J)

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