

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47021 of 2023

Arising Out of PS. Case No.-21 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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RAUSHAN KUMAR, aged about 24 years, Gender- Male, Son of Satyendra Mahato @ Natho Mahato, Resident of village - ward no. 03, Chhoti Rani Sakarpura, Rani Shakarpura, P.S. - Khagaria, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 31-07-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Naokothi P.S. Case No. 21 of 2021 dated 16.02.2021 registered for the offence(s) punishable under Section(s) 302, 120(B) read with 34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The main submissions advanced by the learned counsel for the petitioner are that in the FIR, eleven persons have been named out of them against six persons the informant made serious allegations and against rest he raised suspicion but the name of this petitioner did not find place among them and he is not named in the FIR, but during investigation petitioner's



name surfaced in the statement of co-accused Amit. Further submissions are that one named co-accused Ram Ashish Sahni has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 40312 of 2021 and the petitioner's case stands on better footing from him as he is not named in the FIR and another co-accused Saurabh Kumar @ Saigal Pratap Singh @ Saurabh Kumar Singh has been granted bail by the same co-ordinate Bench of this Court vide order passed in Cr. Misc. No.1613 of 2023 and his case is completely identical to this petitioner. Further submissions are that the petitioner has been languishing in jail since 23.11.2022 and against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the facts that the petitioner is not named in the FIR and the main allegation of firing at the father of the informant is against three co-accused persons who have been named in the FIR and petitioner's case appears to be identical to the above-mentioned co-accused who are on bail and also taking into account the custody period and the completion of investigation against him, in my opinion, it is a fit case for bail to the petitioner.



Accordingly, let the petitioner named-above be enlarged on bail in connection with Naokothi P.S. Case No. 21 of 2021 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

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