

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46776 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- ROHTAS District- Rohtas

=====

Jitu Choudhary @ Ajit Choudhary @ Ajit Kumar S/O Late Gopi Choudhary
Resident of village- Pipradih Rasulpur, P.S.- Rohtas, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 18-03-2023 Let the defects, if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

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

Petitioner seeks regular bail in connection with Rohtas P.S. Case No. 71 of 2022 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

As per the prosecution, the informant's husband was assaulted to death by this petitioner and co-accused persons by means of bricks, knife etc. with regard to a land dispute.

The main submissions advanced by learned counsel for petitioner are that the petitioner is a close relative of the

deceased, as per the FIR few days ago of the alleged occurrence a quarrel took place in between the petitioner and the deceased on a trivial issue and mainly on that basis the informant raised suspicion against the petitioner as to he being involved with co-accused in killing her husband and except the said suspicion there is no any other material against the petitioner, during the investigation all the witnesses examined did not claim to have seen this petitioner killing or murdering the deceased and the deceased's land was mortgaged to co-accused Vijay Paswan so there was no motive on the part of the petitioner to be involved in the alleged occurrence of murder. Further submission is that the petitioner has been languishing in jail since 09.03.2022 and the charge sheet has been submitted against him and there is no any direct and cogent evidence to connect him to the alleged crime and he has fair and clean antecedent.

Learned APP for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly the fact that the petitioner has been made accused mainly on the basis of suspicion, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of

concerned Court in connection with Rohtas P.S. Case No. 71 of
2022.

(Shailendra Singh, J)

Shahnawaz/-

U		T	
---	--	---	--