

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49099 of 2023**

Arising Out of PS. Case No.-137 Year-2023 Thana- BYPASS District- Patna

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ROHIT KUMAR S/O AJAY SHARMA R/O VILLAGE- NAKHAS PIND
BRAHMASHTAN, KUSHROPUR, P.S- BYPASS, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shankar Singh
For the Opposite Party/s : Mr.Prem Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 04-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Bypass P.S. Case No. 137 of 2023 dated 17.03.2023 registered for the offences punishable u/s 302 read with section 34 of the Indian Penal Code.
4. As per the prosecution case, some unknown



miscreants assaulted the deceased (informant's brother) by means of lathi, stick and iron rod, as a result of which he died.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing incriminating material has been recovered from the conscious possession of the petitioner. There is general and omnibus allegation against this petitioner. The petitioner is not named in the FIR. The name of the petitioner has transpired during investigation on the basis of suspicion of CCTV footage. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.03.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Bypass P.S. Case No. 137 of 2023 with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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