

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57151 of 2022

Arising Out of PS. Case No.-157 Year-2021 Thana- KARAHGAR District- Rohtas

SANJIT KUMAR Son of Umesh Singh Resident of Village- Babhani, P.S.-
Kargahar, 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.Bharat Bhushan App,156

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2023 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with Kargahar PS case no. 157 of 2021 instituted for the offences punishable under Sections 302 and other allied sections of the Indian Penal Code and Section 27 of Arms Act.

The case of the prosecution, in brief, is that certain altercation had taken place in between the informant and one Umesh Singh on account of payment of arrears of wages of the informant. The accused persons including the petitioner herein variously armed, had arrived at the house of the informant and thereafter, informant had raised an alarm, whereupon one Devendra Prajapati and his son Deepak



Kumar had arrived there to save the informant, however, in the meantime, the accused person namely Dinesh Singh had inflicted *katta* blow in the stomach of Devendra Prajapati, resulting in him getting grievously injured and subsequently, he is stated to have died during the course of treatment. It is also alleged that one co-accused person namely Rabina Kumari had given a *garasa* blow on the head of the said Deepak Kumar, who also got seriously injured.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 28.07.2022. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, no specific allegation of him having engaged in any sort of overt act has been alleged and in fact, similarly situated co-accused person namely Umesh Singh has already been granted bail by a co-ordinate Bench of this Court vide order dated 07.06.2022, passed in Cr. Misc. no. 2281 of 2022.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the



case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a co-ordinate Bench of this Court apart from the fact that the petitioner has not been alleged to have engaged in any sort of specific overt act, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Judicial Magistrate 1st class, Sasaram, Rohtas in connection with Kargahar PS case no. 157 of 2021.

(Mohit Kumar Shah, J)

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