

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61313 of 2022**

Arising Out of PS. Case No.-510 Year-2022 Thana- MAKHDUMPUR District- Jehanabad

RAUSHAN KUMAR @ BAREH @ BARE S/O DIENSH YADAV Resident of village- Rasulla, P.S.- Kako, in the district of Jehanabad. At present resident of Mohalla- Tehta Grid Road, P.S.- Makhdumpur in the district of Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 30-01-2023 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Makhdumpur P.S. Case No. 510 of 2022, registered for the offence punishable under Sections 341, 323, 307, 379, 337 and 427/34 of the Indian Penal Code.

The allegation is regarding unknown 10-15 miscreants having stopped the bus in question, whereafter they had assaulted the driver and the cleaner as also when the informant and other had protested them, they had assaulted them.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 8.8.2022. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled against unknown miscreants and the petitioner has not been named in the FIR, as such, he is not having any complicity in the matter. It is also submitted that no Test Identification Parade has been held so as to connect the petitioner with the alleged crime.

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 petitioner and taking into account the materials available on record as also considering the fact that no Test Identification Parade has been held so as to connect the petitioner with the alleged crime, apart from the fact that a general and



omnibus allegation has been levelled against 10-15 unknown miscreants, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged 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 Additional Chief Judicial Magistrate-IV, Jehanabad in connection with Makhdumpur P.S. Case No. 510 of 2022.

(Mohit Kumar Shah, J)

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