

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 60279 of 2023

Arising Out of PS. Case No.-751 Year-2020 Thana- KHAJANCHI HAT District- Purnia

Rohit Jha @ Rohit Kumar Jha S/O Sri Manikant Jha R/O Village- Sukhsena,
P.S- Barhara, Distt.- Purnea At Present Residing Of Law Collage, P.S-
Madhubani, Distt.- Purnea.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 302, 324, 307 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the informant alleged that the petitioner had called her son to come the airport and when her son reached to the airport along with his friends, the petitioner along with other accused persons assaulted to her son by means of lathi-danda and rod due to which he sustained head injury. They also damaged the motorcycle of the informant's son and assaulted to his friends. The injured



son of the informant was taken to hospital where he was declared dead.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case merely on the basis of suspicion. There is no specific overt-act of assaulting levelled against the petitioner rather the allegation is general and omnibus. There is no eye witness of the alleged occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused has already been granted bail by this Court vide order dated 01.08.2023 passed in Cr. Misc. No. 31092 of 2023. It is also submitted that petitioner is languishing in judicial custody since 13.09.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with K. Hat P.S. Case No.751 of 2020 on furnishing bail bond of Rs. 10,000/-



(Rupees ten thousand) with two sureties of the like amount
each to the satisfaction of the learned concerned Court.

(Sunil Kumar Panwar, J)

Manishkumar/-

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