

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69327 of 2023

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

RAJESH CHAUDHARY @ RAJESHWAR CHAUDHARY son of Late Kapil
Chaudhary village- Jamua Ps- Rohtas Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-11-2023 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 connection with Rohtas P.S. Case No. 71 of 2022 registered under section 302, 34 of the Indian Penal Code.

As per prosecution case, the informant's raised suspicion that her husband was assaulted to death by the petitioner and co-accused persons after he went to a fair with this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty village politics and previous dispute. The informant is not an eye witness of the



alleged occurrence and there is no specific allegation of assaulting levelled against the petitioner. It is further submitted that during investigation no consistent evidence has been collected against the petitioner. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 18.03.2023 passed in Cr. Misc. No. 46776 of 2022. Moreover, he is languishing in judicial custody since 04.03.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Rohtas P.S. Case No. 71 of 2022 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 3rd Additional District and Sessions Judge Rohtas at Sasaram.

(Sunil Kumar Panwar, J)

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