

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70404 of 2023**

Arising Out of PS. Case No.-137 Year-2023 Thana- LAXMIPUR District- Jamui

Ajmer Bhushan S/O Shashi Bhushan R/O Rajeev Nagar, P.S- Rajeev Nagar,  
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Satya Prakash Parasar

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

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      06-11-2023                      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 a case registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code.

As per prosecution case, on 29.03.2023 at about 9.30 O' Clock, while the informant who happens to be 'Chowkidar' was in his area and making round, then he received information that in Sansarpur village at NH-333 one unknown dead body is lying and when he went there he saw that one person aged about 40 years was found lying dead having some injuries on the neck. He gave such information to the concerned S.H.O. who has arrived along with other police personnel and they tried to



identify the body but could not do so. Accordingly, the F.I.R. has been lodged.

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 suspicion. The petitioner is not named in the F.I.R. No one is eye witness of alleged occurrence. No any incriminating article has been recovered from the conscious possessions of the petitioner. Except his confessional statement before the police, no other consistent material has come against the petitioner which shows his complicity in this case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 21.09.2023 passed in Cr. Misc. No.53532 of 2023. Moreover, the petitioner is languishing in judicial custody since 12.04.2023.

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 Laxmipur (Giddaur O.P.) P.S. Case No. 137 of 2023 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 Judicial Magistrate 1<sup>st</sup> Class, Jamui.

**(Sunil Kumar Panwar, J)**

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