

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76114 of 2023**

Arising Out of PS. Case No.-486 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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Rohit Kumar @ Lavkush Ram Son Of Ramashish Ram @ Gunchun Ram @
Guchun Ram R/O Village- Shyam Cinema Road, P.S.- Gopalganj, Dist.-
Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.Syed Ehteshamuddin

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

2 30-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered
for the offence punishable under Section 302/34 of the Indian
Penal Code.

3. As per allegation in the FIR, the son (deceased) of the
informant had gone to attend the marriage ceremony where he got
involved in fierce fight with some persons due to which the
deceased was assaulted by knife on his stomach and during course
of medical treatment he died. The F.I.R. is against unknown
persons.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. The petitioner



is not named in the F.I.R. During investigation no consistent evidence has come against the petitioner which shows his complicity in the present occurrence. The specific allegation of committing murder is against co-accused Prabhat Kumar. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The other co-accused Vicky Kumar has already been granted anticipatory bail by another co-ordinate Bench of this Court vide order dated 12.05.2023 passed in Cr. Misc. No. 20102 of 2023. Petitioner is languishing in judicial custody since 22.07.2023.

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

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned court of Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No. 486 of 2022.

(Sunil Kumar Panwar, J)

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