

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12587 of 2024

Arising Out of PS. Case No.-1002 Year-2022 Thana- BIHAR District- Nalanda

Rahul Kumar S/O Late Shailesh Mahto R/O Mohalla- Old Barh, P.S- Barh,
Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has renewed his prayer for grant of regular bail in a case registered for the offence punishable under Sections 363, 365, 364A, 302, 201, 120B and 34 of the Indian Penal Code which was earlier dismissed as withdrawn by this Court vide order dated 8.8.2023 passed in Cr. Misc. No. 39483 of 2023 with a liberty to renew his prayer for bail after framing of charge.

3. It is a case of commission of murder of the informant's son namely, Bittu Kumar.

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 merely on the



basis of suspicion. The F.I.R. has been lodged against the unknown and name of the petitioner has come during investigation on the basis of confessional statement of co-accused Chhotu Kumar. There is no eye witness of the alleged occurrence. No T.I.P. of the petitioner was conducted. It is further submitted that charge has been framed in this case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 24.12.2022.

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 Additional District and Sessions Judge-VII, Nalanda at Biharsharif in connection with Bihar P.S. Case No. 1002 of 2022.

(Sunil Kumar Panwar, J)

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