

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16942 of 2024

Arising Out of PS. Case No.-59 Year-2021 Thana- IMAMGANJ District- Gaya

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Rakesh Bharti @ Rakesh Kumar Bharti Son Of Bano Bharti Resident of
Village- Doneya, P.S. -Imamganj, District- Gaya Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Avinash Singh
For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201/34 of the Indian Penal Code.

3. As per prosecution case, on 29.3.2021 the brother of the informant assaulted his wife and went outside, but he did not return. On 31.3.2021 at about 7:00 AM, the informant came to know that the dead body of his brother was lying in Kochiya Aahar then he reached there and found his brother's dead body having several injuries. Informant suspect that all the FIR named accused persons including the petitioner killed his brother and threw his dead body.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case only on the basis of suspicion. There is no eye witness of the alleged offence. It is further submitted that no any tangible or cogent material came against the petitioner during investigation. Moreover, similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order 17.5.2022 passed in Cr. Misc. No. 6175 of 2022. The petitioner has got no criminal antecedent and is languishing in judicial custody since 10.5.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Imamganj P.S. Case No. 59 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, Sherghati (Gaya).

(Sunil Kumar Panwar, J)

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