

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18745 of 2024

Arising Out of PS. Case No.-256 Year-2022 Thana- AWTARNAGAR District- Saran

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RAJA KUMAR SAH @ RAJA SAH S/O RAMANAND SAH R/O
VILLAGE- NARAON, P.S- AWTARNAGAR (AWATAR NAGAR), DISTT.-
SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Mishra, Advocate
	:	Mr.Ashok Kumar, Advocate
For the Opposite Party/s	:	Mr.Suman Kumari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 698 of 2023, arising out of Avtar Nagar P.S.
case No. 256 of 2022 instituted for the offences under Sections
302/ 120B/34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, the informant states
that three named accused persons, variously armed, took away
his son, brutally assaulted him, as a result of which he sustained
injuries and died. It is also alleged that he sustained gunshot



injuries in the occurrence.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Informant is not the eye-witness to the alleged occurrence. Learned counsel further submitted that police after investigation submitted final form against this petitioner whereas learned court below, by differing the final form, took cognizance. Similarly situated co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 06.12.2023 passed in Cr. Misc. No. 63062 of 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Trial No. 698 of 2023, arising out of Avtar Nagar P.S. case No. 256 of 2022.

(Rudra Prakash Mishra, J)

Alok Verma/-

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