

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31970 of 2024**

Arising Out of PS. Case No.-830 Year-2023 Thana- DEHRI TOWN District- Rohtas

Ashok Kumar @ Gandhi son of Sri Rajendra Singh (wrongly mentioned in the impugned order as 20 years), Resident of Village- Karma, P.S.- Jamhor, dist.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pratik Mishra, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

3      28-06-2024                      Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dehri P.S. Case No. 830 of 2023 dated 14.10.2023 registered for the offences punishable u/ss 302, 120B read with Section 34 of the Indian Penal Code and u/s 25(1-b)a/26/35 of the Arms Act.

3. As per the prosecution case, when the informant's son was going to Dehri to meet his sister then the informant's friend called on the informant's another son's mobile and told him that his brother met with an accident near the Sone River Bridge. When the informant reached there and saw that his son was lying there in a very strange condition and some persons



were chasing the car which got caught with the help of the administration and two people were apprehended who disclosed their names as Ankit Kumar and Sonam Kumar. Thereafter, the informant's son was taken to the hospital, where the doctor declared him dead. The informant alleged that the accused persons threatened the informant earlier also and they hatched the conspiracy to hit my son with a Bolero vehicle while he was driving due to which he got seriously injured and while being taken for treatment, his son died in hospital.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is made accused in this case on mere suspicion. The other co-accused person has already been granted bail by this court vide order dated 13.05.2024 passed in Cr. Misc. No. 33810 of 2024. Learned counsel has submitted that as per paragraph 86 of the case diary, the cause of death is road traffic accident (R.T.A). It is further submitted that the petitioner was present at the vehicle. The petitioner has three criminal antecedents and he is on bail in all the aforesaid cases as stated in para 3 of the bail petition. The petitioner is in judicial custody after being remanded in the present case, since 29.11.2023 as stated in para. 24 of the bail petition whereas as per the



impugned order the petitioner is in custody since 14.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Rohtas at Sasaram in connection with Dehri P.S. Case No. 830 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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