

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40932 of 2024

Arising Out of PS. Case No.-124 Year-2022 Thana- SARAIYA District- Muzaffarpur

Rahul Kumar Son Of Shree Ram Sharma @ Shree Ram Thakur R/O- Villge-
Repura Rampur Vishwanath, P.O.-jaintpur, P.S.- Saraiya, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Saraiya P.S. Case No. 124 of 2022 dated 24.02.2022, lodged under Sections 302, 201, 120(B), 34 of the Indian Penal Code read with section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against six named accused persons against whom there is an allegation that they have killed the informant's husband.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner is not named in the FIR. Counsel further submits that on previous occasion, case diary has been called for and from the case diary as well as rejection order, no



material has come against the petitioner save and except that the petitioner was seen taking *ganja* with other accused persons who have participated actively in the commission of crime. Counsel submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State on the other hand submits that the present petitioner is neither named in the FIR nor any material has come against him in the case diary.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, West Muzaffarpur in connection with Saraiya P.S. Case No. 124 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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