

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42079 of 2024

Arising Out of PS. Case No.-202 Year-2024 Thana- JAHANABAD District- Jehanabad

Binod Kumar Raut S/O Late Ramnath Raut R/O Village/Mohalla-Ambedkar
Nagar, P.S. and Distt- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-09-2024 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Jehanabad (Town) P.S. Case No. 202 of 2024, lodged on
11.03.2024, under Sections 302/34 of the I.P.C.

3. As per the prosecution, the F.I.R. has been lodged
against four named accused persons including the present
petitioner against whom there is allegation of entering into the
informant's house and attacked him by lathi, danda due to which
he was injured brutally and became unconscious. Thereafter, he
was taken to the Sadar Hospital, Jehanabad, where during
treatment he died on the very next day.

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



that the alleged occurrence is of 10.03.2024 but FIR has been lodged on the very next day. He further submits that the entire prosecution is false due to the reason that some of the witnesses, who are family members, have stated in the FIR that place of occurrence is the house whereas the two independent witnesses, who are not family members, have disclosed that the alleged occurrence has taken place in front of Devi Temple situated at different place. Counsel submits that the prosecution story may not be accepted due to two different version. Counsel further submits that the petitioner is aged about 51 years having no criminal antecedent and he is in custody since 12.03.2024. Counsel also submits that the commitment has already been taken place in this case.

5. Learned Counsel for the State opposes the prayer for bail and submits that the cause of delay has been mentioned. Counsel submits that from the case diary there is a contradiction in the place of occurrence but death has been caused. Counsel further submits that from the post mortem report, it transpires that the cause of death is due to abdominal trauma spleen rupture.

6. Upon specific query of the Court whether charge has been framed or not? Counsel for the Petitioner submits that



as per his knowledge charge has not been framed, only commitment has been made.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Jehanabad in connection with Jehanabad (Town) P.S. Case No. 202 of 2024, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

Aman Kumar/-

U		T	
---	--	---	--

