

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42444 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- DHAKA District- East Champaran

SK. RAJOO Son of Sk. Sainullah @ Shekh Sainul Resident of village -
Saratha, P.S. - Dhaka, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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

ORAL ORDER

7 01-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
in connection with Dhaka P.S. Case No. 76 of 2023 dated
24.02.2023 registered for the offence/s punishable u/ss 302 and
34 of the Indian Penal Code.

3. As per prosecution case, the informant Manaj
Khatoon alleges that on account of an altercation took place
between the children, her mother-in-law Sushila Khatoon went
to the house of the petitioner where it is alleged that five named
accused persons including petitioner assaulted her and dashed
her on the ground and pressed the neck of Sushila Khatoon with
his leg due to which she became unconscious and she died on



the way to the hospital.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is specific allegation against the petitioner and both parties are agnates. Learned counsel further submits that the petitioner is said to have pressed neck of the deceased with his leg, but the allegation as made in the FIR does not find support from the postmortem report. According to the medical report, no corroborative injuries were found in the neck upon dissection. It is also stated that the cause of death is not clear.

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

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 the learned court concerned, East Champaran in connection with Dhaka P.S. Case No. 76 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, subject to the following condition:

(i) The petitioner is directed to



remain physically present before
the learned Court below on each
and every date, failing of which
on two consecutive dates without
reasonable cause, his bail bonds
are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shweta/-
jyoti/-

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