

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60506 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- Kharagpur District- Munger

Sajan Kumar Son of Late Mahesh Choudhary Resident of Village - Pachchim
Aazim Ganj, P.S. - Haveli Kharagpur, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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

ORAL ORDER

3 14-11-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Haveli
Kharagpur P.S. Case No. 94 of 2024 instituted for the offence
under Section 306 of the Indian Penal Code.

3. Prosecution case in short is that one Chhotu Kumar
(deceased) had earlier lodged an FIR against the petitioner who
happens to be his brother. Later, on regret about the same
Chhotu Kumar has committed suicide.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 25-04-2024. Petitioner
bears one criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. It is submitted that occurrence took place on 17-03-2024, while petitioner was arrested on 16-03-2024. No witness has supported the prosecution case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that earlier scuffle ensued between the petitioner and his brother (deceased) due to which deceased lodged an FIR against the petitioner. Referring to the postmortem report, it is submitted that cause of death is opined due to asphyxia caused by hanging.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. 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 Haveli Kharagpur P.S. Case No. 94 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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