

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69632 of 2023

Arising Out of PS. Case No.-85 Year-2023 Thana- SIWAIPATTI District- Muzaffarpur

Rohit Kumar Sharma @ Rohit Kumar Son Of Ashok Sharma R/O Vill -
Paigambarpur, P.S. - Siwaipatti, Distt. - Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Mrs. Vaishnavi Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Sections 302, 201,
120(B)/34 the Indian Penal Code.

3. As per allegation in the FIR, petitioner who is
co-villager, took the informant's husband on his motorcycle
but he did not return till late night. It is further alleged that
on next day, his husband's dead body was hanging from a
mango tree. Informant has strong suspicion against the
petitioner that he might killed her husband and to give a
color of suicide, he has hanged the body of the informant
after coming murder.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. No one is the eye witness of the alleged occurrence. Only on the basis of suspicion, the name of the petitioner has been dragged in the present case. Deceased had committed suicide. No external or internal injury were seen over the dead body of the deceased except one ligature mark over the neck and doctor opined cause of death due to asphyxia as a result of antimortem hanging. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 27.4.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner is named in the FIR.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



with two sureties of the like amount each to the satisfaction
of the learned SDJM, East Muzaffarpur in connection with
Siwaipatti P.S. Case No. 85 of 2023.

(Sunil Kumar Panwar, J)

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