

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69417 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- ALOULI District- Khagaria

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Ramu Mukhiya Son Of Maksudan Mukhiya Resident Of Village - Sardahi,
Ward No.10, P.S. - Alauli, District - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Adv Mr. Santosh Kumar Singh Mr. Rahul Kumar Ms. Priya Gupta
For the Opposite Party/s :		Mr. Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-01-2024 This is the second attempt of the petitioner for grant of regular bail as earlier the bail application of the petitioner has been rejected vide order dated 18.05.2023 passed in Cr. Misc. No. 24043 of 2023.

2. Heard the learned senior counsel for the petitioner and learned APP for the State.

3. The petitioner seeks bail in connection with Alauli P.S. Case No. 04 of 2023 registered for the offence under Sections 302/34 of the Indian Penal Code.

4. As per the prosecution case, the informant's brother was killed by the accused persons.



5. It has been argued by the learned senior counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case on the basis of confessional statements of other co-accused persons.

6. Learned counsel for the petitioner further submits that the petitioner is in custody since 17.01.2023 and due to his illness related to heart he has undergone heart surgery at AIIMS, New Delhi and the petitioner is still admitted there.

7. Learned counsel for the petitioner also submits that other co-accused persons namely Sanjay Kumar Sah and Abhishek Kumar have been granted bail by a Co-ordinate Bench of this Court vide order dated 03.08.2023 passed in Cr. Misc. No. 35799 of 2023.

8. Learned APP for the State has opposed the prayer of the petitioner for grant of bail.

9. Considering the aforesaid facts, the period of custody and also considering the fact that the petitioner is undergoing treatment for his heart ailment, this application is allowed.

10. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 04 of 2023.

11. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial.

(Sandeep Kumar, J)

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