

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69614 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- SARAIYA District- Muzaffarpur

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1. RAJA KUMAR @ ROHIT KUMAR son of Late Ramesh Singh Village-
Dhanupara Op Saraiya Ps- Jaitpur Dist- Muzaffarpur
 2. RAUSHAN BAITHA @ RAUSHAN KUMAR son of Rabijan Baitha
Village- Dhanupara Op Saraiya Ps- Jaitpur Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2024 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

2. The petitioners have prayed for bail in a case
registered for the offence punishable under Sections 302,
120(B)/34 of the Indian Penal Code.

3. Allegation against the accused persons including
the petitioners is that they have assaulted and committed the
murder of the informant's son namely Siddhant Kmar @
Siddharth Kumar by electrocution.

4. Learned counsel appearing on behalf of the
petitioners has submitted that petitioners are innocent and
have committed no offence. They have been falsely



implicated in this case on suspicion. No one is the eye witness of the alleged occurrence. Neither the informant nor any witness has whispered a single word that petitioners were last seen with the deceased, rather all of them have stated that it was Vikash Kumar, with whom the deceased was last seen. There is general and omnibus allegation has been levelled against the petitioners and no specific overt act has been attributed against them. Only suspicion has been raised against the petitioners according to prosecution case and no consistent evidence against them to show their complicity in the alleged occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, they are languishing in judicial custody since 24.06.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail **after framing of charge, if not framed**. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand



only) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Muzaffarpur (West) in connection with Saraiya P.S. Case No. 74 of 2023.

(Sunil Kumar Panwar, J)

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