

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78430 of 2024

Arising Out of PS. Case No.-95 Year-2022 Thana- DHAKA District- East Champaran

=====

Rukesh Kumar @ Shavan Kumar Sah @ Rakesh Kumar @ Shwan Kumar
Saw S/O- Gajendra Sah Village- Jatauliya, P.S.- Kundwa Chainpur, Dist- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Umanath Mishra

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 302, 120(B), 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. FIR has been registered against unknown for
murder of younger brother of the informant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent, not named in the FIR and has
committed no offence and has falsely been implicated in this
case. He submits that there is no eye witness of the alleged
occurrence. He submits that the name of the petitioner surfaced
by the spy of the police without any cogent reason. He submits
that there is no specific overt act against the petitioner. The



petitioner has two criminal antecedent as mentioned in para-3 of this application and he is languishing in judicial custody since 15.06.2024.

5. Learned APP for the State opposed the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dhaka P.S. Case No. 95 of 2022, subject to the conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(II) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(IV) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State



shall be at liberty to move for cancellation of bail.

(V) The petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

