

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77667 of 2023

Arising Out of PS. Case No.-171 Year-2023 Thana- JOGBANI District- Araria

=====

ROHIT RAJAK @ ROHIT KUMAR RAJAK @ ROHIT KUMAR Son of
Gajanand Rajak Resident of village - Nirpur, Ward No.- 17, P.S. - Jogbani,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Jogbani P.S. Case no. 171 of 2023, registered under sections 302, 201, 120B and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on returning from the shop, she found her one and a half year old son missing. On inquiring from her niece, it transpired that the petitioner had taken him on his motorcycle. In spite of search he was not to be found. Subsequently, his dead body was found in a field. The informant raises suspicion against the three named accused persons including the petitioner herein of having committed the murder.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of dispute between the parties as they are neighbors. There is no eye witness to the occurrence and though not true, even accepting the prosecution case, at best the case against the petitioner would be of one of last seen. In fact in course of investigation, some of the witnesses have also raised suspicion against one Sita Devi wife of Ramji Rajak, who has no connection with this petitioner. The petitioner is in custody since 2.7.2023 and has no criminal antecedent. Charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the petitioner having remained in custody for 8 months since 2.7.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Jogbani P.S. Case no. 171 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial



Magistrate-V, Araria.

(Partha Sarthy, J)

Shiv/-

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

