

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1715 of 2024

Arising Out of PS. Case No.-60 Year-2022 Thana- AURAI District- Muzaffarpur

Rohit Kumar son of Bechan Mahto Resident of village Dharnarwa (ward no-7, Ram Bagh) , P.S.- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, the allegation against accused persons including the petitioner is that they committed murder of the son of the informant and threw his dead body near Dharharwa PACS Bhawan.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence.



He has falsely been implicated in this case merely on the basis of suspicion. There is no specific overt-act of commission of murder attributed against the petitioner and except suspicion nothing consistent evidence has been found against the petitioner. He has got no criminal antecedent. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 11.07.2023 passed in Cr. Misc. No. 10169 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 18.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection



with Aurai P.S. Case No. 60 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class (East), Court No. 3, Muzaffarpur.

(Sunil Kumar Panwar, J)

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