

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3077 of 2024**

Arising Out of PS. Case No.-1370 Year-2022 Thana- KHAGARIA District- Khagaria

Navod Roy Ram Bahadur Roy Resident of Village- Tikarampur P.S.- Muffasil
Munger District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is in custody since 30.09.2023 in connection with Khagaria (Gangour) P.S. Case No. 1370 of 2022 registered for the offence punishable under Sections 302/448/341/323/325/307/504/506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the deceased was an old man of 80 years who was variously assaulted by the accused persons including the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He further submits that the specific allegation of assault is against Pappu Yadav, Chhotan Yadav and Suchit Yadav and there is general and omnibus allegations of assault against this petitioner. It is



further submitted that the deceased died after 24 days. It is next submitted that no offence under Section 302 of the IPC is made out.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case, let the petitioner above named be released on bail *after framing of charge if charge not already framed*, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Gangour) P.S. Case No. 1370 of 2022.

(Sandeep Kumar, J)

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