

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36945 of 2025

Arising Out of PS. Case No.-328 Year-2023 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Rohit Kumar S/O Shivnandan Choudhary R/O Vill.- Jamune, P.s.- Chandauti,
Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Magadh Medical P.S. Case No. 328 of 2023 dated 15.07.2023,
instituted for the offence punishable under Sections 302 of the
Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the husband
of the informant received a phone call on 14.07.2023 then he
went from house saying that he is going to Shukrawari Mela.
Thereafter, informant made phone calls to her husband but she
could not know about his whereabouts. On 15.07.2023, the dead
body of the husband of the informant was found in the west
Ahera of the village.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that FIR has been lodged against unknown persons and only on the basis of confessional statement of co-accused, Shekhar Kumar, the petitioner has been made accused in this case. It is further stated that the said Shekhar Kumar and Amit Kumar have been granted bail vide order dated 10.04.2024 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 85653 of 2023. It is further submitted that similarly situated co-accused person namely, Santosh Kumar has also been granted bail *vide* order dated 14.03.2024 passed by a Co-ordinate Bench of this court in Criminal Miscellaneous No. 4438 of 2024. Lastly, it has been submitted that the petitioner is in custody since 28.02.2025 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned A.C.J.M. 2nd, Gaya in
Magadh Medical P.S. Case No. 328 of 2023.

(Khatim Reza, J)

Sankalp/-

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