

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66107 of 2025

Arising Out of PS. Case No.-45 Year-2023 Thana- CHANDRADIP District- Jamui

Rahbhar Shah @ Rahbar Shah Son of Akhtar Hussain R/o Village - Raees,
P.S. - Pakribarama, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chandradeep P.S. Case No. 45 of 2023 instituted for the offences under Sections 302/34 of the Indian Penal Code and Section 37 of the Bihar Prohibition and Excise Act.

3. Prosecution case, in short, is that the petitioner along with other co-accused persons came at his house and started assaulting the father of the informant by kick and fists due to which he became unconscious. When the injured was



brought to the hospital, the doctor declared him dead.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that post-mortem report of the deceased is not in consonance with the prosecution story. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.12.2024 and has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 17.10.2023 passed in Cr. Misc. No. 65545 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Chandradeep P.S.
Case No. 45 of 2023.

Alok Verma/-
(Rudra Prakash Mishra, J)

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