

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12670 of 2026

Arising Out of PS. Case No.-344 Year-2018 Thana- FATEHPUR District- Gaya

Roushan Kumar Son of Sunil Singh Resident of Village- Pakari, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar, Adv.
Mr. Man Mohan Kumar, Adv.
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-08-2026 1. Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his son (Mohit) and Bhanu went to Fatehpur to meet Rahul and petitioner, further at 8:30 PM, he received a call from Bhanu, informing that Mohit had received firearm injury, thus the informant based on suspicion alleged that Rahul and petitioner killed his son, it is next alleged that about 5- 6 months



back Rahul, Rajeev and petitioner had demanded the SUV vehicle from the deceased and on refusal Rahul had threatened his son with pistol, it is also alleged that gold chain of the deceased was also missing.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that petitioner is named in the FIR based on suspicion. It is also submitted that petitioner was known to the deceased and Bhanu and Bhanu while disclosing about the occurrence to the informant did not even remotely disclosed that how the occurrence took place, thus based on suspicion, the informant alleged that his son was killed on account of previous animosity as recorded hereinabove by the accused persons including the petitioner. It is also submitted that had the relationship of the deceased with petitioner and Rahul been strained in that event he would not have gone to meet them on their call. It is next submitted that had Rahul or petitioner committed the occurrence, in that event, Bhanu would have disclosed at the first instance. It is further submitted that Alok Kumar had approached this Court seeking anticipatory bail by filing Cr. Misc. No.24117 of 2023 and the same came to be allowed by an order dated 18.07.2023. It is also submitted that



no doubt the son of the informant died on account of firearm injury but then the entire allegation in so far as petitioner is concerned, hinges around suspicion. It is reiterated and submitted that petitioner is a person with clean antecedent. It is also submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Fatehpur P.S. Case No. 344 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father, namely, Sunil Singh.

8. However, it is made clear in the event, if the



investigating officer of the case files an application before the learned trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner forthwith after recording reasons.

(Satyavrat Verma, J)

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