

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17663 of 2019**

Arising Out of PS. Case No.-332 Year-2018 Thana- RUPASPUR District- Patna

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RAUSHAN @ RAUSHAN KUMAR Son of Parma Ray @ Parmanand Ray,  
Resident of Saguna, Ward No.12, P.S.-Danapur, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      25-06-2019                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Rupaspur Police Station Case No. 332 of 2018, disclosing offences under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that nine accused persons, including the petitioner, have killed the son of the informant, namely, Sukhu, in the apartment. The informant has explained the background of the incident occurred three days ago to the date of occurrence, in which the name of the petitioner is not appearing.

Learned Counsel for the petitioner submits that the petitioner has been falsely implicated due to local politics



inasmuch as the petitioner has no concern with the alleged occurrence and in the First Information Report, the name of the petitioner finds place at the last paragraph, in which the informant has stated that apart from the other accused persons, the petitioner was also involved in the alleged killing. He has further submitted that co-accused, namely, Riyaz, Shahjada and Raja, have been granted privilege of anticipatory bail by this Court, vide order, dated 17.06.2019, passed in Criminal Misc. no. 21205 of 2019, and the case of the petitioner is on better footing.

Learned Additional Public Prosecutor opposes the prayer for anticipatory bail and submits that the petitioner had actively participated with other accused persons to commit the alleged killing of the son of the informant.

After having heard learned Counsel for the parties and taking into consideration the facts and circumstances of the case and after considering the fact that similarly situated co-accused persons have been granted bail by this Court, this application is allowed.

Let the petitioner, Raushan @ Raushan Kumar, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate II, Danapur, Patna, in connection with Rupaspur Police Station Case No. 332 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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