

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25606 of 2020**

Arising Out of PS. Case No.-27 Year-2019 Thana- SONNAGAR RAIL P.S. District- Gaya

Raushan Kumar, aged about 24 years, Male, Son of Birendra Sav, Resident of  
Village- Aukorha, P.S.- Khaira, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bachan Jee Ojha, Advocate  
For the State : Mr.Dilip Kumar No.1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      10-11-2020                      Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Son Nagar Rail P.S. Case No. 27 of 2019 registered for the offences punishable under Sections 302, 120(B), 201/34 of the Indian Penal Code.

As per the prosecution case, in brief, is that on 04.06.2019, the informant submitted written report before the S.H.O., Son Nagar Rail P.S. stating therein that his son namely Suryakant Kumar was preparing of I.Sc. Living in Ambedkar Hostel Gaya, Police Line, Gaya. Rohit Sao was friend of his son. Elder brotehr of Rohit Sao married at Ankorha in the house of Mahavir Sao in the year 2018. Rohit took mobile number of lhis son and gave this mobile number to SHALI of his brother namely Soni Kumari who used to talk withSuryakant Kumar.



Soni Kumari told Suryakant Kumar to come on the occasion of marriage of her cousin sister on 18.05.2019. Suryakant Kumar went there on that day and during such period, accused persons came and bounded hands and legs of Suryakant Kumar and assaulted. Suryakant Kumar told that he belongs to Dusadh caste. Thereafter accused persons took him away and murdered. On information, the informant along with two people went to Ankorha station and found dead body of his son.

Learned counsel for the petitioner submits that the petitioner is quite innocent and he has falsely been implicated in this case merely with a view to harass him. He has not caught on the spot and nothing recovered from his conscious possession and there is no criminal antecedent against the petitioner.

I have gone through the record including the case diary. In paragraph-2 of the case diary, the informant has identified the dead body of his son on 19.05.2019 and U.D. case has been registered by the railway police. The occurrence took place on 18.05.2019 and the present F.I.R. was lodged on 04.06.2019. There is no explanation for delaying. Learned counsel for the petitioner submits that another co-accused, who is named in the F.I.R., has been granted bail by this Co-ordinate Bench of this Court vide order dated 04.03.2020 passed in Cr.



Misc. No.67707 of 2019. Charge sheet has been submitted in the present case and there is no allegation that he tampered with the witnesses in the present case. Petitioner is in jail custody since 16.07.2019.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned Judicial Railway Magistrate, Gaya in connection with Sone Nagar Rail P.S. Case No. 27 of 2019.

**(Anjani Kumar Sharan, J)**

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