

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14366 of 2021

Arising Out of PS. Case No.-238 Year-2019 Thana- GURUA District- Gaya

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ARUN KUMAR, Son of Late Karu Chaudhary, Resident of Village- Tandwa,
P.S.- Bankey Bazar, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Javed Jafar Khan, Adv.
For the Opposite Party/s	:	Mrs.Rita Verma, APP
For the Informant	:	Mr.Vishwa Ranjan Choudhary, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-10-2021 Heard the parties.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302/ 201/ 34 of the Indian Penal Code.

Prosecution case, in brief is that as per FIR, allegation against the petitioner is that son of the informant was working as a compounder in the hospital for several months and two boys also worked in that hospital namely Sunil Kumar and Manoj Kumar. It has been further alleged that on 19.10.2019 at about 6-7.00 pm, Dr. Kamta Prasad called her on the phone and told that Mithlesh Kumar is not in the hospital whereas the duty of Mithlesh was 24 hours in the hospital. It has been further alleged that Dr. Kamta Prasad, Sunil Kumar and Manoj Kumar



by taking away Mithlesh from the hospital and murdered him. The reason behind is that when deceased demanded his salary from Dr. Kamta Prasad he refused to give and for that reason he was murdered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that the petitioner is not named in the FIR. During course of investigation, the petitioner has been made accused in this case. There is no direct and indirect allegation to commit the murder of deceased against the petitioner. He further submits that in paragraph 81 of the case diary, there is nothing against the petitioner, he has wrongly been framed in the present case. The petitioner is languishing in judicial custody since 25.10.2019. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. Charge sheet has been submitted in this case and charge has also been framed against the petitioner.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five



thousand) with two sureties of the like amount each in connection with Gurua P.S. Case No. 238/2019 to the satisfaction of learned Court below where the case is pending/ successor Court.

(Anjani Kumar Sharan, J)

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