

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40499 of 2020**

Arising Out of PS. Case No.-545 Year-2019 Thana- JAHANABAD District- Jehanabad

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RAUSHAN KUMAR @ BABHANA @ BAUNA Son of Siddheshwar Yadav
@ Sudeshwar Singh Resident of Village- Lodipur Muther, P.S.- Jehanabad
(Karauna O.P.), District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath, Adv.

For the Opposite Party/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-02-2021 Heard both parties.

The petitioner seeks bail in Jehanabad (Karauna O.P.)

P.S. Case No. 545/2019 registered for the offences punishable
under Sections 364, 302, 34 of the Indian Penal Code.

It is alleged that in search of motorcycle, brother of
informant was called by this petitioner along with other accused
persons, but subsequently his dead body was found lying in
water.

It is submitted that save and except suspicion, there is
no other material against this petitioner to show his complicity
in the aforesaid occurrence. It is submitted that during course of
investigation, no incriminating material has come against this
petitioner. It is further submitted that similarly situated co-
accused persons have already been granted bail by co-ordinate



benches of this Court vide order dated 21.12.2020 passed in Cr. Misc. No. 26280/2020 and order dated 03.02.2021 passed in Cr. Misc. No. 35353/2020. Petitioner is in custody since 04.01.2020.

Considering the facts and circumstances of the case, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad, subject to the following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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