

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.634 of 2021

Arising Out of PS. Case No.-573 Year-2020 Thana- SAHARSA District- Saharsa

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RAUSHAN KUMAR RAJAK Son of Anil Rajak @ Anil Kumar Rajak
Resident of Village/Mohalla - Naya Bazar Ward No. 2, P.S. - Saharsa, District
- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-03-2021 Heard Mr. Kamal Kishore Singh, learned counsel

for the petitioner and Mr. Surendra Prasad Singh, learned

Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with

Saharsa Sadar P.S. Case No. 573 of 2020 registered for the

offences punishable under Sections 302/34 of the Indian

Penal Code 1860 and Section 27 of the Arms Act.

The allegation as per the First Information Report

is that brother of the informant took meal along with the

petitioner and other co-accused persons and went to sleep in

his room and in the next morning, Anshu Kumar informed



the informant that his brother was found dead in the room.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case inasmuch as the Police after investigation has submitted charge sheet bearing No. 945 of 2020 under Section 306/34 of the Indian Penal Code and not under Section 302 of the Indian Penal Code. Learned counsel further submits that the deceased has committed suicide due to love affair and he was habitual drinker. Learned counsel also submits that the petitioner is in custody since 30.07.2020.

Having regard to the submissions made by the parties and taking into consideration the nature of allegation and the fact that the charge sheet has been submitted under Section 306 of the Indian Penal Code against the petitioner as well as he is in custody since 30.7.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Saharsa, in connection with Saharsa Sadar P.S.
Case No. 573 of 2020.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding
social distancing.

(Anil Kumar Sinha, J)

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