

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3775 of 2022**

Arising Out of PS. Case No.-112 Year-2020 Thana- NADI P.S. District- Patna

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Raushan Kumar @ Raushan Sahani, Son of Toni Sahani, Resident Of  
Mohalla- Sammaspur Trivenighat, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. S.K. Lal, Advocate

Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      02-11-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect(s), if any, as pointed out by the office  
be removed within four weeks from today.

In the present case, the petitioner seeks bail in  
connection with Nadi P.S. Case No. 112 of 2020, registered for  
the alleged offences under Sections 302, 201 and 379 of the  
Indian Penal Code.

As per prosecution case, unknown miscreants  
committed theft in the house of the maternal grandmother of the  
informant and while committing theft, they killed her. The name  
of the petitioner transpired as an accused person during  
investigation.



The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the allegations against him are false and concocted. No recovery of any incriminating article has been made from this petitioner, who has been named in this case on the basis of confessional statement of co-accused Dipak Kumar. The mobile recovered from this petitioner belongs to him and it is not stolen property. The petitioner is in custody since 01.09.2021 and is having clean antecedent. The charge sheet has been submitted.

Learned APP opposes the prayer for bail submitting that while committing theft, the petitioner and other co-accused persons murdered an old lady.

Perused the records.

Having regard to the facts and circumstances and submissions made here-in-above and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from him or at his instance and further considering the lack of substantive material against him to connect him with the alleged crime and also considering the period of custody of the petitioner along with submission of charge sheet as well as his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond



of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Patna City, Patna, in connection with Nadi P.S. Case No. 112 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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**(Arun Kumar Jha, J)**

