

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61803 of 2021

Arising Out of PS. Case No.-209 Year-2021 Thana- HARSIDHI District- East Champaran

Rupesh Kumar S/O Mohan Singh R/O Village- Harsidhi, Babu Tola, Ward
No. 5, P.O.- Pakariya, P.S.- Harsidhi, District- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B)/ 34 of the
Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 07.07.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that the informant alleges that on 03.06.2021, unknown persons
called the informant's son Alok Kumar and his so after
informing his mother left saying his friends are calling him.
Thereafter, the informant called Manish Kumar, who informed



that the deceased will come back after some time and thereafter, Manish Kumar switched off his mobile. It is further alleged that his son had earlier talked with friends of Manish Kumar namely, Bhim Kumar, Pappu Kumar and Rupesh Kumar (petitioner), who had threatened to murder his son. On 01.06.2021, Deepak Kumar and Atish Kumar had assaulted his son in the market. It is next alleged that on 05.06.2021, the informant came to know that his son was murdered by slitting his neck.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that except for suspicion, there is nothing. The entire allegation hinges around suspicion. The learned counsel further submits that as far as this petitioner is concerned, it is alleged that he had threatened the deceased sometimes back, on basis of which, the informant suspects the role of the petitioner in the occurrence also.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent and charge-sheet has been submitted in this case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of



Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Harsidhi P. S. Case No.209 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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