

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63517 of 2021**

Arising Out of PS. Case No.-233 Year-2020 Thana- BHAGWANPUR District- Begusarai

RAJAN KUMAR S/o- Shankar Sah Resident of Village- Bhagwanpur, P.S.-
Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 29-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the of-
fences under Sections 364 and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits the peti-
tioner is in custody since 19.03.2021, charge-sheet has been
submitted and is a person with clean antecedent and the informant
alleges that she was alone with the son, Shivam, in the house, when
on 05.10.2020 accused, Rajan Kumar (petitioner) along with Rishav
and Prince came at 2 P.M. and took her son along with them, further
on 06.02.2020 when his son did not return till 6 p.m., she searched
her son but she was not found thus alleges on the basis of suspicion
that she fear that her son might be killed by petitioner, Rishav, his
brother (Prince) and some unknown accused. The learned counsel



for the petitioner submits that petitioner has been falsely implicated in the present case merely based on suspicion, even during the course of investigation, no material has come based on which, it can even be remotely suggested that the petitioner was involved in the occurrence except the fact that he along with other named accused person has called the son of the informant. The learned counsel further submits co-accused, Prince Raj @ Mangal, had moved for bail vide Cr. Misc. No. 50123 of 2021, in the said case, the learned APP was directed to file counter affidavit, accordingly, a counter affidavit has been filed and after perusing the counter affidavit, Prince Raj was granted bail by order dated 21.02.2022. The learned counsel submits that case of the petitioner is on the same footing as that of Prince Raj in the nature of allegation as alleged.

The learned APP vehemently opposes the bail application but is not even to meet the submission of the learned counsel for the petitioner with regard to Prince Raj.

Considering the fact the petitioner is in custody since 19.03.2021, chargesheet has been submitted and co-accused Prince Raj has been granted bail by order dated 21.02.2022 passed in Cr. Misc. No.50123 of 2021 along with accused, Basant Kumar vide order dated 26.10.2021 passed in Cr. Misc. No. 20034 of 2021, 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 Bhagwanpur P.S. Case No. 233 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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