

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12295 of 2023**

Arising Out of PS. Case No.-207 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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Rupesh Kumar, aged about 22 years, Son of Lalan Mahto @ Lalo Mahto @
Chitranjan Mahto R/O Village- Chouki, Aaho Ghat, P.S.- Sahebpur Kamal,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner seeks bail in connection with Sahebpur
Kamal P.S. Case No. 207 of 2022 dated 27.07.2022 registered
for the offence punishable under Sections 120(B), 302 and 34 of
the Indian Penal Code.

3. As per the prosecution case, the informant alleged that
on 24.07.2022 at 7:30 pm, Bulbul Yadav and Ranvir Singh
threatened her son, namely, Pranav Prince (deceased) to kill him
and on the same day, at about 12:00 am, the petitioner and
Sanjiv Sada called her son from the house and on the next day,
villagers informed that her son was lying dead near a river.
Thereafter, she lodged an FIR against the petitioner including



four other accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. On bare perusal of F.I.R, it is evident that the date of occurrence was 24.07.2022 at 7:30 pm but the F.I.R was registered on 27.07.2022 at 5:00 pm. The delay of three days in lodging the FIR shows that the malice intention of the informant to implicate the petitioner in this case. During the course of the investigation, CDR of the different mobile numbers have been enquired by the police in which, all conversations was made on the alleged date of occurrence but no conversation was made between the petitioner and the deceased. Lastly, it is submitted that the petitioner is in custody since 16.09.2022 having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Begusarai in



connection with Sahebpur Kamal P.S. Case No. 207 of 2022.

(Khatim Reza, J)

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