

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14495 of 2024

Arising Out of PS. Case No.-457 Year-2023 Thana- DUMRA District- Sitamarhi

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Raushan Kumar @ Raushan Yadav Son Of Vijay Rai Residents Of Village
-Bhisa Ward No23 Police Station- Dumra District -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 01-05-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in case registered for the offences punishable under Section 302/34 of the Indian Penal Code.
3. Informant suspects that all the F.I.R. named accused persons including this petitioner killed the son of the informant and left his dead body near the saloon of one Dev Nandan Thakur.
4. Learned counsel for the petitioner submits that informant is not an eye witness of the occurrence and petitioner has been made accused in this case only on suspicion because prior to the alleged occurrence, this petitioner along with others abused and assaulted the son of the informant. He lastly submits that similarly situated co-accused persons have already been



granted regular bail by co-ordinate Bench of this Hon’ble Court.

5. However, learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioner is named in the F.I.R. and during course of investigation, co-accused Ravi Yadav, who is none other than own brother of the petitioner, has stated that the deceased used to live in their house and on 20.9.23 he entered into the room of sister of the petitioner and thereafter on alarm, when the accused persons reached there, they committed murder of the deceased by pressing his neck and the dead body was hanged but due to breaking of the rope, the dead body fell and thereafter all three accused persons fled away.

6. Considering the aforesaid facts and circumstances of the case, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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