

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31716 of 2024

Arising Out of PS. Case No.-281 Year-2023 Thana- PIPRAKOTHI District- East Champaran

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Dhiraj Kumar Son of Sanjiv Rai @ Sanjeev Kumar Resident of village -
Mathiya Bariyarpur, P.S.- Piprakothi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	: Mr.Abhishek Kumar
For the Opposite Party/s	: Mr.Arvind Kumar Pandey (App 84)
For the Informant	: Mr. Shashank Shekhar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-05-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Piprakothi P.S. Case No. 281 of 2023 dated 14.12.2023, registered for the offences punishable u/s 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along with the co-accused persons took the son of the informant on their motorcycle. At 11-12 P.M. the son of the informant called the informant on the phone and stated that he was injured and thrown away. The son of the informant died on the way to the hospital. It is further alleged that the informant believes that the petitioner along with the co-accused persons and 2-3 unknown persons have killed the son of the informant.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Learned counsel further submitted that as per the F.I.R. the son of the informant has informed his mother on mobile and stated that the accused persons have caused injuries to him and they have thrown him but he has not taken the name of the petitioner. The petitioner has been made accused in this case on the basis of suspicion. As per the impugned order, the cause of the death of the deceased was due to shock and hemorrhage caused by hard and blunt substance. The statement recorded u/s 164 of one Ankit Kumar in which he has stated that the injury sustained on the body of deceased was accidental and it was caused from the falling from the bus. The petitioner is in custody since 15.12.2023.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Motihari, East Champaran in connection with
Piprakothi P.S. Case No. 281 of 2023 with a condition:-

(i) The petitioner is directed to remain physically
present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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