

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35169 of 2024

Arising Out of PS. Case No.-1465 Year-2023 Thana- DANAPUR District- Patna

Randhir Kumar @ Randheer Kumar S/o Late Rajendra Mahto @ Rajendra Prasad R/o Mohalla - Mainpura, P.S. - Danapur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vinay Ranjan, Adv.
For the informant	:	Mr. Abhishek, Adv.
For the Opposite Party/s	:	Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-10-2024 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 Danapur P.S. Case No. 1465/2023 dated 23.11.2023 registered for the offence punishable u/ss 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant's son returned from Delhi on the occasion of Chhatha Puja, who had solemnized love marriage with Anshu Kumari one year ago. It has been further alleged that the co-accused, Sanju Kumar and Baban were threatening to kill the informant's son for one month. When the informant's son returned on 22-11-2023, the



co-accused Baban, Soordas, Akhilesh and Sanju Kumar took him on a Motorcycle. The informant made phone call to the co-accused Akhilesh in the last night and he told her that Baban, Soordas, Sanju, Randhir Kumar (petitioner) and her son Shubham were consuming liquor in a graveyard. When the informant's son did not return to house, she again called Akhilesh, but he did not pick up the phone. On 23-11-2023, the informant again called the co-accused, Akhilesh and he told her that he had left her son near the house of the petitioner. On the same day at about 1.30 O'clock, the informant received an information that his son was lying dead in Mainpura graveyard. On this information, she along with her family went there and found his son lying dead. The informant has alleged that Randhir Kumar (petitioner), Sanju Kumar, Baban, Soordas and Akhilesh had killed her son due to inter cast marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Akhilesh Singh. There is nothing against the petitioner except the confessional statement. Nothing has been recovered from the conscious possession of the petitioner. The charge-sheet has been



submitted against the petitioner. The co-accused persons have already been granted regular bail by this court vide order dated 23.09.2024 passed in Cr. Misc. No. 31162 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.12.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. During investigation, the co-accused, Sanju Kumar and Akhilesh Singh were arrested and they confessed their involvement in the alleged occurrence and the co-accused, Akhilesh Singh stated that the knife used in the alleged murder of the informant's son was recovered from the bush near Majar. As per the post-mortem report, the cause of death of the deceased is due to haemorrhage and shock due to injury caused by sharp object leading to cardio-respiratory failure.

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, Danapur in connection with Danapur P.S. Case No. 1465/2023 with the 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)

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