

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38895 of 2023

Arising Out of PS. Case No.-1362 Year-2022 Thana- DANAPUR District- Patna

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Raushan Kumar Son Of Sanjay Kumar Resident Of Jhunjhun Road, Lohar
Gali, Ps- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jainendra Kumar Pushkar

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 25-01-2024 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 302, 120(B)/34 of the Indian Penal Code.

As per the prosecution case, the son of the

informant was killed by the accused persons including

the petitioner who has called him out of his house.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case. The petitioner is cousin



brother of the deceased and nephew of the informant and in the background of some previous dispute, the present accusation has been levelled against the petitioner. The informant is not the eye witness to the occurrence. The specific allegation of assaulting to the deceased is against Rohit Kumar and Monu Kumar. The petitioner is languishing in custody since 02.12.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner and submitted that on call by the petitioner, the deceased came out from his house and thereafter he was assaulted by all the accused persons. The eye witnesses Aman Kumar and Vikash had also stated about the complicity of the petitioner in the aforesaid crime. The postmortem report also suggests the cause of death by several cut wounds and multiple



injuries.

Considering the facts aforesaid, this Court is not inclined to grant bail to the petitioner.

The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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