

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45911 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- SAHPUR District- Patna

Raushan Kumar @ Roshan Kumar Son of Late Prabhu Rai R/O Vill.- Vijapat,
P.S.- Sahpur, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nisha, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Sahpur P.S. Case No. 61
of 2024, instituted for the offences punishable under Sections
302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, brother of the
informant was murdered by the petitioner along with other co-
accused person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner also submits that deceased and the petitioner were



friends. The deceased was in intoxicated condition due to which he became serious in condition and died. As per post-mortem report, no external or bone injury was found on the body of the deceased. It is further submitted that the deceased had sold his mobile phone to the petitioner in Rs. 4000/- which was recovered from the possession of the petitioner. The petitioner is in custody since 11.02.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sahpur P.S. Case No. 61 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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