

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52439 of 2024

Arising Out of PS. Case No.-155 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

RAJU KUMAR @ RAHUL KUMAR SON OF SATISH PRASAD R/O-
VILLAGE- PATHAK BIGHA, P.O.- MURGAO, P.S.- JULASGANJ, DISTT.-
JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vishwanath Prasad, Adv.
For the informant	:	Mr. Shailendra Prasad, Adv.
		Mr. Govind Prasad Sinha, Adv.
For the Opposite Party/s :		Mr.Raj Kishor Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 31-08-2024 Heard learned counsel for the petitioner and learned

A.P.P for the State as well as learned counsel for the informant.

2. The petitioner has preferred this application for grant of regular bail in connection with S.T. No. 1029/2023 arising out of Ram Krishna Nagar P.S. Case No. 155 of 2023 dated 08.03.2023 registered for the offences punishable u/ss 324, 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused person are alleged to have committed murder of the informant's husband due to the money lent by the deceased to the co-accused, Amit Jaiswal.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. It is further submitted in the fardbeyan of the informant that her husband gave 25 lakhs rupees to the petitioner as a loan and because of that he killed her husband but the true fact is that there is no any evidence that the petitioner received 25 lakhs rupees from the deceased, Uday Kumar Gupta thus, the whole allegation is false against the petitioner. It is further submitted that there is no eye witness to the alleged occurrence. It is further submitted that the bail application of the petitioner has earlier been rejected by this court vide order dated 17.08.2023 passed in Cr. Misc. No. 49216 of 2023 with direction to the learned trial court to expedite the trial and conclude the same preferably within nine months. It is further submitted that as per letter no. 98/2024 dated 14.08.2024 issued by the learned court below, there are 11 charge-sheeted witnesses out of which 5 witnesses have been examined and the cross-examination of P.W. 6 is going on. Learned counsel has further submitted that the trial will take time for its disposal. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 10.05.2023. Similarly situated co-accused person has already been granted bail by this Court vide order dated 21.06.2024 passed in Cr. Misc. No. 9292 of 2024.



5. Learned A.P.P. for the State and 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, Patna in connection with S.T. No. 1029/2023 arising out of Ram Krishna Nagar P.S. Case No. 155 of 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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