

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61183 of 2024

Arising Out of PS. Case No.-27 Year-2023 Thana- WAJIRGANJ District- Gaya

Gopal Kumar Son of Ramautar Singh @ Ramautar Prasad R/V-Village-
Teacher's Colony, P.S-Wagirganj, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Nand Kishore Prasad Sinha, Adv.
For the Opposite Party/s :	Mr. Dilip Kumar No.1, APP.
	Mr. Amar Nath Singh, Adv.
	Mr. Satya Prakash, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned APP
for the State assisted by learned counsel for the informant.

2. The petitioner seeks bail in connection with a case registered for the offence punishable under Section 363 of the Indian Penal Code. Later on Section 304/34 of the Indian Penal Code was added.

3. As per the prosecution case, on 10.01.2023, the son of the informant went with his friends without informing the informant and when the informant tried to contact him, he replied to come soon, but he didn't come. The informant received message and call from different mobile number of his son that he would come tomorrow as he went to *Rajrappa*. Eventually, when he did not come back to home, the informant



tried to contact him, but his phone was found switched off. The informant has suspicion that the petitioner and other co-accused persons have abducted the informant's son, committed murder and thrown his dead body near a well.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is no eye witness to the alleged occurrence. Petitioner has been made accused in the present case merely on suspicion. It is further submitted that the similarly situated co-accused has been granted regular bail by a co-ordinate Bench of this Court vide order dated 29.04.2024 in Cr. Misc. No. 29774 of 2024. Learned counsel further submits that the petitioner has one criminal antecedent and he is in custody since 08.05.2024.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as considering the period of custody and the fact that similarly situated co-accused has been granted regular bail,



the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Wazirganj P.S. Case no. 27 of 2023.

(Anjani Kumar Sharan, J)

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