

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73217 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- PUNPUN District- Patna

Raju Kumar S/OAwadhesh Prasad R/O Village- Habipur, P.S- Punpun,
District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suryadeo Prasad Singh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-10-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Punpun P.S. Case No. 103 of 2023, registered on 01.04.2023 for the offences under Sections 147, 148, 149, 188, 332, 333, 341, 323, 326, 337, 338, 307, 427, 435, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, a boy of 13 years was murdered by a mentally unsound person, who, after killing the boy, climbed on a high voltage transmission tower of electricity. Persons, thousand in number, assembled at the spot and they were highly agitated. The police requested the mob to leave the place and handover the dead body of the boy but the request was not paid any heed by them. Further, the mob started pelting



stones and bricks on the police party causing injury to them. 300-400 unknown persons have been made accused in this case. The petitioner is said to be one of the members of the mob.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner has not been named in the FIR and his name transpired in the confessional statement of co-accused Anoj Kumar and Bijli Yadav. The petitioner was in his house at the relevant time and he has been made accused on the basis of suspicion and conspiracy. Learned counsel further submits that there are three persons of same names as that of the petitioner hailing from the same village. The petitioner has got no criminal antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and omnibus allegation against a number of persons and further considering the possibility of false implication and clean antecedent of the petitioner, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail,



on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Masaurhi/concerned court in connection with Punpun P.S. Case No. 103 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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