

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82841 of 2024

Arising Out of PS. Case No.-219 Year-2024 Thana- PATNA GRP CASE District- Patna

Ghyanshyam Kumar @ Ghanshyam Kumar son of Dinesh Kewat Resident of
Village -Bakra Police Station -Bind District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-12-2024

Heard the parties.

2. The petitioner is in custody in connection with Rail P.S. Case No. 219 of 2024 for the offence punishable under sections 328, 302 and 379 of the Indian Penal Code lodged on 31.03.2024 by the informant, Swayambar Paswan.

3. As per the prosecution story, the informant alleged that his son arrived at Patna by train from Maharashtra, informed the family about his arrival but later got a call that he is lying unconscious on platform no. 10 on Patna Junction. The police rushed him to P.M.C.H. Patna where he died, his belongings were also missing. This led to the FIR.

4. It is the case of the petitioner that he is not named in the FIR, during investigation, he has been picked up only because of criminal antecedent.



5. Mr. Bharat Bhushan, learned APP on the other hand has taken this Court to the learned Sessions Judge order to show that the articles of the deceased have been recovered from the house of the petitioner and accordingly, charge-sheet has been submitted against him. It is his further submission that the petitioner has criminal antecedent of the same nature.

6. Taking into account the aforesaid facts as also that the allegation against the petitioner is not only to take away the articles of the deceased, the substance that was offered to consume, unfortunately led to the innocent leaving this world without any fault of his. In that background, no relief can be granted to the petitioner.

7. Accordingly, the bail petition stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

