

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84561 of 2023

Arising Out of PS. Case No.-81 Year-2022 Thana- GAYA MUFASIL District- Gaya

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Roushan Kumar S/o Late Pramod Singh @ Pramod Prasad R/o Mohalla-
Nauwagarhi, Tilha Dharamshala, Chand Chaura, P.S- Vishnupad, Distt.-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-01-2024 Heard Mr. Shailesh Kumar, learned counsel for the

petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No. 81 of 2022 registered for the
offences punishable under Sections 364, 302, 201 and 120B of
the Indian Penal Code.

3. As per the prosecution case, the informant suspects
that co-accused Anand Raj along with his staffs, including the
petitioner abducted her husband and subsequently committed
his murder. It is also alleged that all the accused persons were
given pressure upon the husband of the informant over the
demand of Rs. 50 lacs on account of business settlement.

4. Learned counsel for the petitioner, submits that



only because of he being staff of co-accused Anand Raj, against whom the entire allegation revolves, his name has been implicated in this case. However, barring the aforesaid fact, there is no material, suggesting the complicity of the petitioner. Furthermore, the informant is not an eyewitness to the alleged occurrence and except suspicion, there is no other material. He next submits that taking note of the aforesaid facts, co-accused Saurabh Kumar, against whom there is identical allegation, has been allowed the privilege of anticipatory bail by the co-ordinate Bench of this Court vide order dated 01.08.2023 passed in Cr. Misc. No. 40321 of 2023. He lastly submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned counsel for the State opposes the bail application and submits that the prosecution case appears to be serious in nature where the husband of the petitioner is done to death.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the informant is not an eyewitness to the alleged occurrence and the entire case is based upon the suspicion, coupled with the fact that the



co-accused having identical allegation has been allowed the privilege of anticipatory bail and the petitioner bears no criminal antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 81 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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