

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86512 of 2023

Arising Out of PS. Case No.-209 Year-2023 Thana- PIPRA District- East Champaran

Raushan Kumar S/O Nandu Mahto R/O Village- Pipra Din, P.S- Pipra, Distt.-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 19-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Pipra P.S. case No. 209
of 2023 instituted for the offences under Sections 302, 201 and
34 of the Indian Penal Code.

3. Prosecution allegation, in short, is that informant's
son went outside from his house on his motorcycle and
thereafter did not return. It is further alleged that on search,
informant came to know that a dead body has been found in the
bush, which has been identified as the dead body of his son.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 11.07.2023 and has no criminal
antecedent. The petitioner has falsely been implicated in the
present case. The petitioner is not named in the F.I.R. Learned



counsel for the petitioner submits that the name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Arman Alam. There is no eye witness to the alleged occurrence. Similar co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 05.01.2024 passed in Cr. Misc. No. 83818 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the fact that similarly situated co-accused has been granted bail by a Coordinate Bench of this Court, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pipra P.S. case No. 209 of 2023.

(Rudra Prakash Mishra, J)

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