

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5900 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- BANDHUWA KURAWA District- Banka

Gagan Kumar @ Gagan Sah S/O Bhola Sah @ Bhola Mandal Resident of
Village- Maniyarpur, P.S- Bandhua Kurawa, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-03-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 103(1), 238 of the Bharatiya Nyaya Sanhita.

3. According to F.I.R., on 13.9.24 at about 11:50 PM, informant came to know that her husband was lying dead in the pond near Kendwa Dam and when she along with her relative reached there, she got to know that her husband was murdered by unknown persons and his body was thrown into the water two-four days ago.

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and F.I.R. has been registered against unknown persons. He next submits that name of the petitioner surfaced during course of investigation on the



basis of confessional statement of co-accused person. Informant is not an eye witness of the occurrence and during investigation, only suspicion has been raised against him. None of the witnesses, who have been examined, have claimed that petitioner was either present at the place of occurrence or have seen this petitioner committing the offence. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation and other facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Bandhua Kurawa P. S. Case No. 80 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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