

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28079 of 2025

Arising Out of PS. Case No.-151 Year-2024 Thana- Piplawa District- Patna

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Raushan Kumar @ Lukesh Kumar @ Lokesh Kumar S/o Satish Kumar
Sharma @ Sateesh Kumar R/o Village- Shahar Rampur, P.S.- Piplawan,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta, APP
For the Informant	:	Mr. Dhananjay Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, learned

counsel for the informant and learned APP for the State. Perused

the case diary.

2. The petitioner seeks bail in connection with

Piplawan P.S. Case No. 151 of 2024 instituted for the offences

under Sections 331(4), 305, 103(1), 3(5) of the Bharatiya Nyaya

Sanhita, 2023 and Section 27 of the Arms Act.

3. Prosecution case, in short, is that on 30.10.2024,

the brother of the informant was found dead with gunshot

injuries and sharp weapon injuries. It is further alleged that 6-7

unknown persons committed dacoity by breaking into the house,

looted gold and silver worth Rs. 25-30 lakhs and murdered his



brother.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation on the basis of suspicion. There is no eye-witness to the occurrence. Learned counsel further submitted that during investigation, it has cropped up in the confessional statement of one Rishu Kumar that Mantu Kumar along with his associate assaulted the deceased to death. Learned counsel further submitted that during investigation, no cogent material against the petitioner has come to show his involvement in the alleged offence. He further contended that the accused persons have no intention to kill the deceased. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.11.2024 and has three criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no direct allegation against the petitioner in the case diary to show his involvement in the alleged



occurrence as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Piplawan P.S. Case No. 151 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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