

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29819 of 2025

Arising Out of PS. Case No.-115 Year-2024 Thana- NTPC District- Patna

Hare Ram Kumar S/o- Gauri Shankar R/o Village- Raili, P.S. NTPC District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Rajesh Ranjan Kumar, Advocate
For the Informant	:	Mr. Dhiraj Sagar, Advocate
For the Opposite Party/s	:	Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 15-07-2025 Heard Mr. N.K. Agrawal, the learned senior counsel appearing on behalf of the petitioner, Mr. Dhiraj Kumar, the learned counsel for the Informant and Mr. Rajiv Nayan the learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 137(2) and 140(3) of B.N.S. and subsequently added Section 103(1), 238 and 3(5) of B.N.S., 2023.

3. As per the prosecution case, one Gauri Shankar Yadav gave an application to the police stating therein that his son, namely, Prince Kumar aged around 19 years was traceless and despite hectic search, he could not be located. It was further stated that his son may be located with the help of his mobile.

4. Learned senior counsel for the petitioner submits that admittedly the petitioner is not named in the FIR, it was registered



against unknown. It is further submitted that the name of the petitioner surfaced in the confessional statement of co-accused, namely, Rajhansh Kumar. It is next submitted that even during the course of investigation, barring the confessional statement, there is no material to connect the petitioner with the aforesaid incident. Learned senior counsel has referred to a few paragraphs of the case diary wherein, the statement of the relatives of the deceased has been recorded after two months of the incident who have also raised suspicion against the petitioner and others. Learned senior counsel has stated that even taking the confessional statement of co-accused Rajhansh, it would appear that he had only raised suspicion that the son of the informant was done to death by the petitioner and other co-accused persons. The learned senior counsel has stated that the C.D.R. showing regular conversation between the accused persons, does not go on to prove the involvement of the petitioner in the present case and as such, it is only on mere suspicion that the petitioner has been roped in. It has lastly been submitted that the petitioner has clean antecedent and is in custody since 05.02.2025 and the person in whose confessional statement, the name of the petitioner has surfaced, has been enlarged on bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 06.02.2025, passed in Cr. Misc. No. 84190 of 2024.

5. The learned counsel appearing on behalf of the Informant and A.P.P. have vehemently opposed the prayer for bail



and have jointly stated that the name of the petitioner has surfaced in the confessional statement of a co-accused who has stated that the petitioner and others were involved in the killing of the son of the informant. Learned counsel for the Informant has further submitted that from the perusal of the confessional statement of the co-accused, it is clear that there was role of the petitioner in commission of such crime, which is a ghastly murder of 19 year old young person. Learned counsel for the informant has stated that the petitioner should not be released on bail as he has committed a heinous crime and had conspired in killing of the son of the informant.

6. Considering the aforesaid submissions made by the parties and taking into account that the petitioner was not named and the co-accused in whose confessional statement the name of the petitioner has surfaced has already been granted bail by a Co-ordinate Bench, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection N.T.P.C. P.S. Case No. 115 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.



(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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