

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37814 of 2025

Arising Out of PS. Case No.-598 Year-2023 Thana- KESARIA District- East Champaran

Raju Kumar @ Vikku S/o Jagdish Sah, R/o Village- Siswa Patna, P.S-
Kesariya, Distt.- East Champaran (Motihari).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Dwivedi, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kesariya P.S. Case No. 598 of 2023, dated 17.12.2023 registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506 of the Indian Penal Code read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along with other co-accused persons came at the door of the informant and requested him to accompany them to talk regarding Kesariya P.S. Case No. 520 of 2023 lodged by the informant and they brought him at Chhath Ghat of Pokhar of village Siswa



Patna, where other co-accused persons were already present. It is further alleged that on the order of co-accused Avishal Kumar, all the other co-accused persons assaulted and stabbed the informant with *lathi*, *danda* and knife and threw him in a field assuming him to be dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation of stabbing is not attributed against the petitioner, rather the allegation against the petitioner is general and omnibus and at best the petitioner may be considered as member of the unlawful assembly. The co-accused person namely, Aman Kumar has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court *vide* order dated 11.09.2024 passed in Cr. Misc. No. 59494 of 2024. Another co-accused person namely, Avishal Kumar, who was the order giver in this case, has also been granted regular bail by a co-ordinate Bench of this Court *vide* order dated 04.04.2025 passed in Cr. Misc. No. 6150 of 2025. The petitioner has got one criminal antecedent (lodged by the same informant) as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 22.03.2025.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as petitioner’s period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, in connection with **Kesariya P.S. Case No. 598 of 2023**.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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