

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40055 of 2025

Arising Out of PS. Case No.-439 Year-2023 Thana- PALIGANJ District- Patna

Gajendra kumar S/O Ram Kewal Sharma R/O Village- Kalyanpur, P.S-
Paliganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Raj

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, on 11.08.2023, informant's son (deceased) went out with co-accused (Gaurav Kumar) and did not return. It is also alleged that eight days prior to date of occurrence, the deceased had a fight with petitioner and two other co-accused and they had threatened the deceased to kill. Informant suspects that this petitioner along with other co-accused persons have killed his son and threw the dead-body in *Khalian*.

4. Learned counsel for the petitioner submits that it is



a case of weak circumstantial evidence. He further submits that it was the co-accused Gorakh Kumar, who took the son of the informant (deceased) with him and this petitioner has been made accused in this case only on suspicion. Similarly situated co-accused Golu Kumar has been granted bail by this Court, vide order dated 11.07.2025 passed in Cr.Misc. No. 13155 of 2025. The petitioner is in custody since 16.05.2024.

5. Learned APP has opposed the prayer for bail.

6. Considering the facts and circumstance of the case as well as period of custody, 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 learned SDJM, Paliganj, (District - Patna)/ concerned court in connection with Paliganj P.S. Case No. 439 of 2023.

(Prabhat Kumar Singh, J)

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