

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45370 of 2025

Arising Out of PS. Case No.-284 Year-2023 Thana- RAFIGANJ District- Aurangabad

Saurabh Singh @ Saurabh Raj S/o Rakesh Singh @ Bablu Singh R/o Village-
Khadwan, P.S.- Rafiganj, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Singh, Adv.
For the Informant	:	Mr. Shahnawaz Khan, Adv.
For the Opposite Party/s	:	Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 16-09-2025 Heard Mr. Rakesh Singh, learned counsel for the petitioner; Mr. Shahnawaz Khan, learned counsel for the informant and Mr. Md. Mustaque Alam, learned APP for the State.

2. The petitioner has prayed for bail in connection with Sessions Trial No. 262 of 2025/ 28 of 2025 arising out of Rafiganj P.S. Case No. 284 of 2023 registered for the offence punishable under Sections 341, 323, 504, 506, 379, 302/34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner, along with two others, intercepted the vehicle on which the father of the informant was going and started assaulting him. It is further alleged that Rakesh Singh took the father of the



informant towards Bishumbherpur Road, 10-15 unknown miscreants were there, and it is alleged that Sudhir, Rakesh, Saurabh Singh (the petitioner), and others badly assaulted the father of the informant, and during the course of treatment, the father of the informant died.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. From perusal of the FIR, it is clear that the nature of the allegation is general and omnibus. It has also been submitted that similarly situated other co-accused, namely, Rakesh Singh, has been granted bail by the learned Co-ordinate Bench of this Court in Cr. Misc. No. 79313 of 2023. The case of this petitioner stands on similar footing to that of Rakesh Kumar. He also submits that from perusal of the *post-mortem* report, it will transpire that the deceased has received as many as six injuries, caused by a hard and blunt substance. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 03.05.2025.

5. The application for bail is opposed by learned counsel for the informant and learned APP for the State.



Learned counsel for the informant submits that the petitioner has earlier filed anticipatory bail petition, which was rejected on 15.11.2024 and that he was evading the case. It has also been submitted that the petitioner may not cooperate in the trial. As far as allegations are concerned, the nature of allegation is general and omnibus and there is allegation that altogether 18 persons were assaulting the deceased.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with the condition that the petitioner shall cooperate in the trial and shall be present in the trial court as and when required.** The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII, Aurangabad, in connection with Sessions Trial No. 262/2025/28/2025 arising out of Rafiganj P.S. Case No. 284 of 2023.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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