

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71863 of 2024

Arising Out of PS. Case No.-311 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Sachin Rajak Son of Santosh Rajak @ Santosh Kumar Rajak Resident of
Village - Jalalpur, P.S. - G.B. Nagar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rakesh Mohan Singh, Advocate
For the Opposite Party/s	:	Mrs.Rina Sinha, APP
For the Informant	:	Mr. Ashok Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 18-04-2025 Heard learned counsel for the petitioner,

learned A.P.P. for the State and the learned counsel

appearing on behalf of the informant.

2. The petitioner apprehends his arrest in connection with G.B. Nagar P.S. Case No. 311 of 2024 for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. From perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that on 18-6-2024, his grandson received a call on his mobile and while leaving the house, on asking of the



informant, he disclosed that he had been called by Ankit, Manish and Sachin (petitioner) and thereafter left the house. Further at 8 pm, he received an information that his grandson has been shot and the police has taken him to Sardar Hospital, accordingly he reached Sardar Hospital, where he came to know that his grandson has been killed. He, thus alleges, based on suspicion, that Ankit, Sachin (petitioner) and Manish had called his grandson and they killed him. It is further submitted that had the deceased not been on good terms with the aforesaid named accused persons, in that event he would not have gone to meet them, which amply demonstrates that the relationship in between the deceased and the accused were cordial. It is also submitted that while leaving the house, the deceased did not even remotely suggest that he was not having good relations with the accused persons. The name of the petitioner has transpired only on suspicion. He further submits that co-accused Ankit Kumar @ Ankit Kumar Singh having same nature of allegation, has been granted privilege of anticipatory bail vide order dated 28.03.2025 passed in Cr. Misc. No. 12797 of 2025 by this Court. He further submits that there is no eye witness to alleged occurrence as



none of the witnesses have claimed to be seen the petitioner going towards the place of occurrence. He has no criminal antecedent and undertakes to co-operate in investigation/trial.

4. The application for anticipatory bail is opposed by learned APP for the State and learned counsel for the informant who submits that the deceased, while leaving the house, clearly disclosed the name of the petitioner that he was going to meet them and thereafter he was shot, as such suspicion points towards the petitioner and the other accused person.

5. Considering the submissions made by the learned counsel for the petitioner and also considering the fact that similarly situated co-accused has been granted the privilege of anticipatory bail vide order dated 28.03.2025, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail in connection with G.B. P.S. Case No. 311 of 2024 on furnishing bail bonds of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Siwan,



subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and subject to the further condition that one of the bailors of the petitioner shall be his father, Santosh Rajak @ Santosh Kumar Rajak.

6. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this court, is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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