

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79014 of 2024

Arising Out of PS. Case No.-379 Year-2020 Thana- NAUBATPUR District- Patna

Raushan Kumar @ Shukla Son of Ranjan Rai Resident of Village- Mohanpur,
P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kameshwar Prasad Sinha, Advocate
For the State	:	Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

8 25-07-2025 Heard the parties.

2. The petitioner is in custody in connection with Naubatpur P.S. Case No. 379 of 2020 for the offence punishable under sections 379, 302 and 34 of the Indian Penal Code, lodged on 20.07.2020 by the informant, Lalita Devi.

3. As per the prosecution story, the informant alleged that the deceased left his house for Hajipur to collect the amount that was due with this petitioner but never returned. One of the witness informed that he had seen the present petitioner with deceased together and they were abusing each other. In that background, his implication came and as per the affidavit, the petitioner is in custody since 25.07.2020.

4. Learned counsel for the petitioner submits that there is no eye witness to the actual occurrence, it is the case of



last seen, he has already suffered by being in custody for five long years, if granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail concede that the petitioner has remained in custody for five long years.

6. In this case, the Court called for the Trial Court Report according to which, the charges have been framed but due to absence of the witnesses, the matter has not moved further.

7. Considering the submissions put forward by the parties as also the period of custody coupled with the fact that the petitioner has no criminal antecedent and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District Judge-V, in connection with Naubatpur P.S. Case No. 379 of 2020, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight ti the conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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