

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83132 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- VIJAYEPUR District- Gopalganj

Gang Dayal Ram @ Gangdeyal Ram @ Gang Deyal, Son of Rambhuj Ram
@ Rambhaju Ram, Resident of Village- Bhujauli Kala , PS -Vijaypur ,Dist
-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Harshvardhan, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-03-2025 Heard learned counsel for the petitioner and Mr. Ram
Naresh Ray, learned APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 103, 61,
238 and 3(5) of the B.N.S.

3. The case of the prosecution is that the brother of
the informant, namely Deva Kumar has gone towards west of
the house on road side. When he did not return for a
considerable time he was being searched but he could not be
found. In the next morning the informant went to his relatives
for enquiring about the missing of his brother. On 07.07.2024 at
about 04:30 A.M. the sister of the informant has gone to release
herself, she found the dead body of Deva Kumar. After that the



dead body was taken out from the water and information to police was given. The informant suspects that the petitioner along with others have killed his brother Deva Kumar in a conspiracy.

4. Learned counsel for the petitioner has submitted that the occurrence is of 05.07.2024 and the dead body was recovered on 07.07.2024 but from perusal of the FIR it transpires that the FIR was filed on 10.07.2024. It means there is delay of five days which is not explained. The brother of the informant was missing from 05.07.2024 then the informant has not given any information to the police regarding the missing of his brother and from perusal of the FIR it is quite clear that no role is attributed to the petitioner rather his name has surfaced on the basis of suspicion. From perusal of the diary it also transpires that the accused persons named in the FIR have given their confessional statement but on the instance of their confessional statement no recovery has been made. There is absolutely no legal material against the petitioner. The petitioner is in custody since 12.07.2024.

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

6. Having heard learned counsel for the parties and



considering the above facts and circumstances, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the court of learned 1st Additional Sessions Judge, Gopalganj in connection with Vijayepur P.S. Case No. 146 of 2024.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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