

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80033 of 2024

Arising Out of PS. Case No.-348 Year-2024 Thana- NAUBATPUR District- Patna

Golu Kumar, S/O Sri Anil Kumar @ Anil Singh, Resident of Village-
Samanpura, P.S- Naubatpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP
For the Informant	:	Mr. Binit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 31-01-2025 Heard the learned Advocate for the petitioner, learned
Advocate for the informant and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Naubatpur P.S. Case No. 348 of 2024, registered for the offence punishable under Sections 341, 323, 302, 504 and 120(B)/34 of the Indian Penal Code, Section 27 of the Arms Act.

3. Allegedly, on 27.06.2024 in the evening, the son of the informant went to market on his motorcycle, but when he did not return and despite making call when he did not pick up the same, suspecting some foul play, the informant along with his wife went to the market. In the way, they found that all the FIR named accused persons surrounded his son. It is specifically alleged that on the dictate of co-accused *Dharmendra Sharma*, co-accused *Dharmendra* and *Sunny* fired upon the son of the



informant, which proved fatal. The reason for such occurrence is said to be that earlier the informant has instituted Naubatpur P.S. Case No. 325 of 2024 against some of the accused persons and they were making threatening to withdraw the case, which was denied by the informant.

4. Referring to the F.I.R., learned Advocate the petitioner contended that save and except the allegation that the petitioner was found seen fleeing from the place of occurrence along with other accused persons, there is no material suggesting the complicity of the petitioner in the crime. Moreover, the petitioner is neither the accused in Naubatpur P.S. Case No. 325 of 2024 nor during the course of investigation, it has come that the petitioner was also instrumental in giving threatening to the informant and his son to withdraw Naubatpur P.S. Case No. 325 of 2024. It is further contended that other co-accused persons, who were allegedly found present at the place of occurrence with the weapons and arms, they have been allowed the privilege of regular bail by this Court in Cr. Misc. No. 70405 of 2024 vide order dated 03.10.2024 and in Cr. Misc. No. 84465 of 2024 vide order dated 20.12.2024. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the court.



5. On the other hand, learned APP for the State and the learned Advocate for the informant vehemently oppose the bail application and submit that this is a case of brutal murder of the son of the informant in a broad day light by hatching a conspiracy; the material available completely suggests the complicity of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation, as noted hereinabove, coupled with the fair antecedent and the fact there is no material collected against him during the course of investigation, let the petitioner, named above, in the event of this arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Danapur in connection with Naubatpur P.S. Case No. 348 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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