

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85156 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- SULTANGANJ District- Patna

Ravish Kumar @ Rahul Kumar, aged about 23 years, M, S/O Indal Prasad @ Indal Kumar, R/o- Maula Nagar, P.S- Atri, Distt-Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Saroj Kumar Choudhary, Advocate
For the Informant	:	Mr. P.N. Shahi, Sr. Advocate, Mr. Kumar Shanu, Advocate, Mr. Kumar Abhishek, Advocate, Mr. Shubham, Advocate and Mr. Amit Anand, Advocate
For the State	:	Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 01-05-2025 Heard learned counsel for the petitioner, learned senior counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sultanganj P.S. Case No. 214 of 2024 dated 27.05.2024 registered for the offences punishable under Sections 341, 323, 337, 338, 307, 120B and 302 read with Section 34 of the I.P.C.

3. As per the prosecution case, when the informant's son, Harsh Raj, went to appear in the last examination at Patna Law College, and after the examination was over, some unknown miscreants are alleged to have attacked his son with lathi, danda, iron rod and bricks, due to which, he died. They were also abusing him with caste name.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case during the course of investigation on the basis of disclosure made by the spy to the effect that last year in the year 2023, a *Dandiya programme* was done by the deceased where some scuffle took place with the co-accused Aman Patel, Chandan Yadav @ Aditya Raj and their friends. It is further submitted that on the basis of the report of spy, the co-accused Chandan Yadav @ Aditya Raj was arrested and he confessed his guilt in the present case and named the other co-accused persons, Mayank, Lakshya, Arush, Aman Patel, Aryan Patel and 5-6 unknown but he did not name the petitioner. The petitioner was also a student of Patna College in the final Graduation in Sessions 2021-2024. The petitioner has no concern with the alleged offence. No incriminating article has been recovered from his possession. The charge sheet has been submitted in the present case against the petitioner. The other co-accused person, namely, Chandan Yadav @ Aditya Raj has already been granted bail by a Bench of this Court vide Cr. Misc. No. 78721 of 2024 under order dated 25.03.2025. There is no specific allegation against the



petitioner. There is general and omnibus allegation against the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 03.06.2024.

5. Learned A.P.P. for the State and learned senior counsel for the informant have vehemently opposed the bail petition of the petitioner and have submitted that the petitioner and other co-accused persons have brutally assaulted the deceased with lathi, danda, iron-rod and bricks leading to his death. Learned senior counsel for the informant refers several paragraph nos. 25, 77, 32, 33, 86, 91 of the case diary in which the witnesses as well as the informant have supported the prosecution case. He also refers paragraph no. 173 of the case diary, in which the petitioner has confessed his guilt that he assaulted the deceased with *Bamboo Stick (Fatti)*.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody and the allegation being general and omnibus, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna City, Patna in connection with Sultanganj P.S. Case No. 214 of



2024 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

II. The petitioner is directed to co-operate in the trial.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

