

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75121 of 2025

Arising Out of PS. Case No.-105 Year-2024 Thana- PAKRIDAYAL District- East Champaran

Raushan Kumar S/O Bishwanath Prasad Resident of Madhopur, P.S.-
Madhuban, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Kundan Rathore @ Kundan Kumar, ADvocate
For the State : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120B and 34 of the
Indian Penal Code.

3. As per prosecution case, it is alleged that all the
F.I.R. named accused persons, along with some unknown
persons, took away son of informant in a Scorpio vehicle and
later on, his dead body was recovered which was concealed
under dry leaves. Name of petitioner transpired in this case
during course of investigation as also being involved in the
occurrence with other co-accused persons.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.



Petitioner is not named in the F.I.R.. Name of petitioner transpired in this case during course of investigation merely on the basis of confessional statement of co-accused Umesh Prasad. Save and except confessional statement, there is no material on record to show the complicity of this petitioner in the alleged occurrence. No motive has been assigned for the petitioner getting involved in the alleged occurrence. Similarly situated co-accused person, namely Sandeep Kumar, has already been granted privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 17.01.2025 passed in Cr. Misc. No. 88583 of 2024. Petitioner, having no criminal antecedents, is in custody since 11.08.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, period of custody, claim based on parity and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned C.J.M., Motihari, East Champaran in
connection with Pakridayal P.S. Case No. 105 of 2024.

(Prabhat Kumar Singh, J)

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