

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83633 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- LAKHAURA District- East Champaran

Ranjeet Kumar Son of Bhaiya Ram Ray Resident of village - Naurangiya,
P.S.- Lakhaura, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-04-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 302 and
120(B)/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Learned counsel for the petitioner submits that the
informant alleges that while he was sitting at his door with his
son the named accused persons came and took his son for a feast
but then his son did not return, as such, the informant tried
calling him but his mobile was switched off. Further, in the
morning, during the course of search, the son of the informant
was found in an injured condition and he disclosed the name of
the accused persons who assaulted him. Further, the son of the



informant died and his body was taken to the Sadar Hospital for postmortem.

5. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the same is in two parts. It is further submitted that father of the informant in the first part alleges that while he was sitting at his door the named accused persons came and took his son for a feast but then the informant does not disclose the name of the petitioner. It is next submitted that when the son of the informant was found in an injured condition thereafter he also disclosed the name of the accused persons who assaulted him on account of which he subsequently died but then even the son of the informant did not disclose the name of this petitioner, as such, the petitioner is not named in the FIR.

6. Learned counsel for the petitioner submits that during course of investigation, some accused persons were apprehended and one Arvind Kumar @ Aditya Kumar disclosed the name of this petitioner in his confession before the police. It is further submitted that confession before the police is not admissible in evidence. It is next submitted that had the petitioner participated in the occurrence of assault in that event the son of the informant would have disclosed his name.



7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner but then fairly submits that the petitioner is not named in the FIR and his name transpired in the confessional statement of apprehended accused, namely, Arvind Kumar @ Aditya Kumar as would manifest from para 37 of the case diary. Learned A.P.P. further submits that no doubt, petitioner is not named in the FIR but then his name transpired during the course of investigation and if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond on which learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to establish his innocence.

8. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Lakhaura P.S. Case No. 62 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



9. One of the bailors of the petitioner shall be his
father, namely, Bhaiya Ram Ray.

(Satyavrat Verma, J)

Kundan/-

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

