

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79208 of 2025

Arising Out of PS. Case No.-273 Year-2017 Thana- DANAPUR District- Patna

Shatrudhan Kumar @ Shatrudhan Roy S/O Harendra Ray R/O Village-
Chitrasenpur, P.O. and P.S.- Soanpur, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Singh, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2026 Heard Mr. Neeraj Kumar Singh, learned counsel

for the petitioner as well as Ms. Madhuri Lata, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.05.2025 in connection with Danapur P.S. Case No. 273 of
2017, F.I.R. dated 13.05.2017 for the offences punishable under
Sections 428, 302 and 34 of Indian Penal Code.

3. According to prosecution case, the informant
alleged that the petitioner along with other co-accused persons
killed his father by administering poison in his cold drink, when
his father went to the accused persons for collecting his loan
amount.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. The present FIR has been instituted on the basis of information furnished by the deceased to the informant and apart from that it appears from the FIR that date of the occurrence was on 11.05.2017 but the FIR was lodge on 13.05.2017 i.e. after delay of about two days without giving any reason of delay and informant is not the eye witness of the alleged occurrence and even no one had seen the alleged occurrence and merely on the basis of suspicion the petitioner has been made accused in the present case and co-accused persons, namely, Upendra Rai and Prabhu Rai against whom there is similar allegation have been acquitted from the learned Trial Court in S.T. No. 656 of 2023 vide order dated 02.01.2025 and S.T. No. 34 of 2022 vide order dated 04.11.2023. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 19.05.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that deceased has informed the informant about the involvement of the petitioner in the present case and apart from



that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, and similarly situated co-accused persons have been acquitted from the learned Trial Court, let the petitioner, above named, 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 the learned ACJM, Danapur in connection with Danapur P.S. Case No. 273 of 2017, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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