

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13783 of 2021

Arising Out of PS. Case No.-26 Year-2020 Thana- KHIJARSARAI District- Gaya

Rajesh Chaudhary (Male) aged about 48 years, Son of Govind Chaudhary
Resident of Village - Sadhunagar, P.S.- Khizarsarai and Distt.- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 29-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Khizarsarai P.S. Case No. 26 of 2020, registered for the offence under Section 302 & 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, this petitioner alongwith other accused persons kidnapped the husband of the informant from the house at 10.00 PM (Night) and thereafter, on the next day, the dead-body of husband of the informant was found . The informant raised suspicion against this petitioner and other co-accused persons, as they had threatened her husband in the past.

It is submitted on behalf of petitioner that there is no eye-witness to the occurrence and only on suspicion, the petitioner has been made accused in this case. During course of



investigation, no cogent material or evidence has come against the petitioner to show his complicity in the crime and petitioner is in custody since 21.08.2020.

However, learned A.P.P. for the State opposed the bail petition and submitted that this petitioner alongwith other co-accused persons had kidnapped the husband of the informant on the gun point and took him away towards the river and committed his murder.

Considering the aforesaid facts and circumstances and the fact that petitioner is one of the accused, who kidnapped the husband of informant on gun point and on the next day, his dead-body was recovered, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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