

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36445 of 2021

Arising Out of PS. Case No.-219 Year-2018 Thana- KATRA District- Muzaffarpur

RAKESH KUMAR @ RAKESH RANJAN Son of Late Ram Naresh Yadav
@ Naresh Rai Resident of Village Shivnagar, P.S. - Katra, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur,
Mr. Pravin Kumar, Advocates.
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-01-2022 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner and Mr. Dinesh Singh, Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with Katra
PS Case No. 219/2018 registered for the offence punishable
under Sections 302, 120(B)/34 of the IPC.

As per prosecution case, son of the informant left his
house in a Maruti-800 Car in drunken state and met with an
accident at two places. Thereafter, *Choukidar*, Ram Ekbal Rai
and a passersby left his son near the shop of one Md. Shiblish
and in the morning, the said *Choukidar*, Ram Ekbal Rai and one
Navin Thakur gave information regarding murder of informant's
son whose body was having bullet and knife injuries upon head



and neck.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case on the basis of confessional statement made by co-accused, Gaurav Kumar who disclosed the name of the petitioner as well as that of one Ritesh Sah. He further submits that co-accused, Gaurav Kumar *vide* Cr. Misc. No. 45639/2019 and Ritesh Sah *vide* Cr. Misc. No. 8703/2021 have been granted bail by Co-ordinate Benches of this Court and one another co-accused, namely, Md. Ali Hasan @ Md. Shibli has also been granted bail by a bench of this Court *vide* Cr. Misc. No. 74092/2019.

Learned counsel next submits that petitioner having no criminal antecedent is in custody since 09.01.2021.

Having regards to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused persons have been granted bail by Co-ordinate Benches of this Court, petitioner having no criminal antecedent is in custody since 09.01.2021 and the charge-sheet has been submitted in the matter, I am inclined to grant regular bail to the petitioner subject to the conditions that (1) 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 his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the court below and (2) 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.

Accordingly, let the petitioner, RAKESH KUMAR @ RAKESH RANJAN 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 Additional Chief Judicial Magistrate- 16th, Muzaffarpur in connection with Katra PS Case No. 219/2018.

(Anil Kumar Sinha, J)

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