

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34905 of 2022

Arising Out of PS. Case No.-451 Year-2021 Thana- RAJIVNAGAR District- Patna

Rahul Kumar Son Of Nirmal Kumar Resident Of Village- Maudahi, P.S.-
Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rajiv Nagar P.S. Case No. 451 of 2021, lodged under Sections
307, 120(B), 34 of the Indian Penal Code but later on Section
302 of Indian Penal Code with Section 27 of Arms Act was
added.

As per the prosecution case, the informant has
disclosed that in the evening of 12.10.2021 his wife was
returning to house by scooty alongwith her daughter, when she
entered in the gate then in the mean time 2 unknown persons
came and fired on her due to which she became injured and

admitted to Hospital but subsequently died.

Learned counsel for the petitioner submits that F.I.R. has been lodged against 2 unknown motorcycle riders. He further submits that name of petitioner has figured in this case by virtue of confessional statement of co-accused whose name has come later during investigation. He further submits that petitioner is in custody since 20.12.2021 having clean antecedent, charge sheet has already been filed in this case. He further submits two other co-accused persons have already been granted bail by the Co-ordinate Bench of this Court vide orders dated 18.08.2022 & 24.08.2022 passed in Cr. Misc. Nos. 25848 of 2022 & 29659 of 2022 respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, but liberty is hereby granted to the petitioner to move for bail after three months from the date of framing of charge or after one year from the date of his custody, whichever is earlier. Upon move for bail by the petitioner, the Trial Court shall release him on bail after imposing conditions, so that he shall not evade his appearance during trial.

With this observation, the bail application stands
rejected.

(Dr. Anshuman, J.)

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