

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46559 of 2021**

Arising Out of PS. Case No.-76 Year-2015 Thana- RAFIGANJ District- Aurangabad

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GAYA KUMAR RAHUL @ VIKASH @ RAHULJI @ VIKASJI @ GAYA KUMAR @ BADA VIKASH @ GURUJI @ BIKASH YADAV @ Sirji S/o- BASUDEO YADAV Resident of Village- Kabare also known as Kavar Tola Tulsi Bigha, P.S.- Arari, Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code, section 27 of the Arms Act and section 17 of CLA Act.

As per the prosecution case, on information having been received about the murder having taken place it is stated that the informant along with other police personnel reached the place of occurrence and on inquiry it transpired from the local people that several named accused persons including the petitioner herein as also 20-22 unknown accused persons who are all supporters of the Maoist party had taken the deceased



and had resorted to firing.

It is submitted by learned counsel for the petitioner that from the contents of the FIR itself it would transpire that there is no eye witness to the occurrence. The petitioner has been falsely implicated in the case only on the basis of suspicion. He is in custody since 27.2.2021 and chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the petitioner having remained in custody for more than 1 year, the petitioner is directed to be enlarged on bail in connection with Rafiganj P.S. Case no. 76 of 2015 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XIV, Aurangabad.

(Partha Sarthy, J)

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