

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16028 of 2023

Arising Out of PS. Case No.-98 Year-2021 Thana- SARAI RANJAN District- Samastipur

Rajiv Ray @ Rajiv Kumar Ray Son Of Ramanand Ray R/O Village- Meyari,
P.S.- Sarairanjan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, while the informant was having dinner, her niece told that the petitioner called her and she went with the co-accused Ankit Kumar Jha on motorcycle. It is further alleged that after a while, informant got information through one Mr. Harishchandra Rai that her niece has been murdered by shot fire.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather his name has transpired in



this case on the basis of C.D.R of the victim's mobile in which, the petitioner talked with her several times. There is no eye witness of the alleged occurrence. It is further submitted that there is also no any consistent material has come against the petitioner to connect him with this alleged offence. Other co-accused namely, Ankit Kumar Jha who is named in the FIR, has already been granted bail by this court vide order dated 1.2.2023 passed in Cr. Misc. No. 49778 of 2022 hence, the case of this petitioner stands on better footing of that of the co-accused. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 22.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sarairanjan P.S. Case No. 98 of 2021 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-III, Samastipur,
Dist- Samstipur.

(Sunil Kumar Panwar, J)

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