

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20353 of 2023**

Arising Out of PS. Case No.-180 Year-2022 Thana- GANGABRIDGE District- Vaishali

RAJ KUMAR @ RAJA Son of Sanjay Singh @ Sanjay Kumar Village- Eragi
Kanchanpur P.S.- Bidupur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 12-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
01.08.2022 in connection with Gangabridge P.S.Case No.180
of 2022, F.I.R. dated 24.07.2022 registered for the offence
punishable under Sections 302/201/34 of IPC.

The prosecution case, in short, is that the informant
alleged that on 23.07.2022 at 10.A.M. morning as usual
informant's mother Surti Devi went out to collect dry leaves
in Lichi Bagan and did not return for long time, so the
informant alongwith family members went to search in Lichi
Bagan where broom and jute bag were found near one Lichi
Tree and also blood was there, several places the informant



followed the blood spot and reached the back of house of Dhelu Singh where dead body of informant's mother was found in a bathroom having knife-cut on the dead body, the informant claimed that some unknown persons committed murder of his mother.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of the petitioner and in his confessional statement the petitioner has categorically stated that co-accused person, namely, Raja Kumar @ Abhishek Kumar has given knife blow upon the deceased and in his confessional statement, the petitioner has further stated that thereafter the petitioner and another co-accused person have committed rape upon the victim but there is no sign of rape was found upon the person of the deceased and except the confessional statement of the petitioner no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted the chargesheet



against the petitioner and the petitioner is in custody since 01.08.2022.

Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Gangabridge P.S.Case No.180 of 2022 ,with the following conditions:-

(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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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