

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26441 of 2023**

Arising Out of PS. Case No.-406 Year-2022 Thana- GAURICHAK District- Patna

Rahul Kumar Son Of Late Naresh Paswan R/O Gawaspur Ps- Gaurichak,
Distt.-Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanket, Advocate
For the Opposite Party : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Gaurichak P.S. Case No. 406 of 2022 instituted for the offences punishable under Sections 363, 365, 302, 201 and 120(B) of the Indian Penal Code.

3. The case of prosecution in short is that on 17.06.2022, informant's father have left the house to collect money from one Pappu Singh and never return. It is alleged that petitioner along with co-accused have kidnapped informant's father and killed him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R., and his name is transpired in this case only on the basis of



confessional statement of co-accused, namely, Savita Devi, who has already been granted bail by a Co-ordinate Bench of this Court *vide Order dated 24.02.2023* passed in *Cr. Misc. No. 65092 of 2022*. It is further submitted that no any incriminating material has been recovered from the possession of the petitioner and there is no eyewitness to the alleged occurrence. Further, it is submitted that till date no Test Identification Parade (T.I.P.) has been conducted by the Police. Lastly, it has been submitted that the petitioner is in custody since 21.06.2022 has no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VI, Patna City in Gaurichak P.S. Case No. 406 of 2022.

(Khatim Reza, J)

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