

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41340 of 2022**

Arising Out of PS. Case No.-30 Year-2022 Thana- RAJEPUR District- East Champaran

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Ajay Rai Son Of Sonafi Rai Resident Of Village - Nanhkar, P.S.- Rajepur,  
Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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with

**CRIMINAL MISCELLANEOUS No. 43013 of 2022**

Arising Out of PS. Case No.-30 Year-2022 Thana- RAJEPUR District- East Champaran

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Vikash Kumar S/O Chandra Mohan Ray @ Chandra Mohan Prasad Yadav  
Resident Of Village- Balbhadrapur, P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 41340 of 2022)

For the Petitioner/s : Mr.Sanjay Kumar

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

(In CRIMINAL MISCELLANEOUS No. 43013 of 2022)

For the Petitioner/s : Mr.Shashi Bhushan Pandey

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      13-02-2023                      Heard learned counsel for the petitioners and  
  
learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a  
  
case registered for the offences punishable under  
  
Sections 363, 366(A), 34, 120(B) of the Indian Penal



Code. Subsequently, Section 302 I.P.C was also added.

It is a case of commission of abduction and thereafter killing the daughter of the informant by all the F.I.R named accused persons including the petitioners.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. It is further submitted that in fact, the victim girl was in love with co-accused Amit Kumar and she always used to leave her house and went along with co-accused Amit Kumar and since co-accused Amit Kumar was brother-in-law of petitioner Ajay Rai, he has falsely been implicated in this case. The informant is not the eye witness to the occurrence. No consistent evidence has been collected against the petitioners during the course of investigation. There is general and omnibus allegation against the petitioners. Moreover, for the alleged occurrence of 25.01.2022, the F.I.R has been registered on 29.01.2022 without explaining the delay. The petitioners



are languishing in custody since 15.03.2022. A statement has been made in para 3 of the petition that petitioner Ajay Rai has one other criminal antecedent whereas petitioner Vikash Kumar has no criminal antecedent.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Rajepur P.S. Case No. 30 of 2022.

**(Sunil Kumar Panwar, J)**

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