

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63157 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- GAYA MUFASIL District- Gaya

Raja Yadav @ Rajeev Kumar Ranjan, son of Lalit Kumar, resident of Village
- Dahariya Bigha, P.S. - Bodh Gaya, District - Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Advocate Ms.Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr.Shantanu Kumar, APP
For the Informant	:	Ms.Alka Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State as also learned

counsel for the informant.

2. The petitioner seeks bail in connection with Muffasil
P.S. Case No. 178 of 2023 registered for the offence punishable
under Sections 302, 120-B/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. The accused/petitioner named in the FIR and is in
custody since 30.06.2023.

4. Allegation against the petitioner is to commit murder
of the husband of the informant along with other co-accused
persons by causing fire-arm injuries.

5. It is submitted by Mr. Ajay Kumar Thakur, learned
counsel while appearing on behalf of the petitioner that even



from the bare perusal of the F.I.R. on its face, the maximum what can be gathered against this petitioner is nothing more than suspicion. It is submitted that the name of the petitioner added in the last paragraph of the F.I.R. intentionally which suggest only false implication on its face, where in actual, the informant who is claiming an eye-witness of the occurrence found other named co-accused persons namely, Rahul, Sinku, Dhiraj and Bhola who were found running away immediately after the occurrence by waiving their fire-arms in air. It is submitted that bail of similarly situated co-accused namely, Nagendra Yadav and Tej Pratap Singh have already granted by this Court through Cr. Misc. No. 45421/2023 and Cr. Misc. No. 60832/2023 respectively dated 14.09.2023. While concluding argument, it is submitted that petitioner found involved in three criminal cases where he is on bail and moreover investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by Ms. Alka Singh, learned counsel for the informant while opposing the prayer for bail of the petitioner submitted that the informant named this petitioner as co-accused.

7. In view of above-mentioned facts and circumstances



and by taking note of the fact as face of F.I.R. prima-facie suggest implication of peitioner out of suspicion only, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 30.06.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with P.S. Case No. Muffasil P.S. Case No. 178 of 2023, subject to the conditions as laid down under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

Sanjeet/Rajeev-

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