

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74488 of 2023

Arising Out of PS. Case No.-194 Year-2021 Thana- GORAUL District- Vaishali

RAKESH KUMAR @ RAKESH RAI S/O- BINDESHWAR RAI @
BINDESVAR RAY R/O- VILLAGE- RAMPUR DUMARI, PS- GORAUL
(KATHARA OP) DIST- VAISHLAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is in custody since 17.02.2023 in connection with Goraul (Kathara O.P.) P.S. Case No. 194 of 2021 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, Nagina Sahni was killed by the accused persons in the pond of Bindeshwar Rai. The petitioner is named in the F.I.R. as having participated in the killing.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He further submits that the petitioner drowned due to fishing in deep water of the pond at night. He next submits that there is no eye-



witness to the occurrence. He further submits that similarly situated co-accused Bachchu Rai has already been granted bail by a co-ordinate Bench of this Court vide order dated 05.07.2022 passed in Cr. Misc. No. 12772 of 2022. The petitioner has no criminal antecedents.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, IV, Vaishali at Hajipur in connection with Goraul (Kathara O.P.) P.S. Case No. 194 of 2021.

(Sandeep Kumar, J)

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