

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67360 of 2022

Arising Out of PS. Case No.-176 Year-2019 Thana- GANGABRIDGE District- Vaishali

1. Ajay Rai @ Ajay Kr. Rai S/o Mahipat Rai, R/o Village- Saifpur, P.S.- Ganga Bridge, Distt- Vaishali.
2. Nanhak Rai @ Nanhaki Rai @ Indrajeet Rai S/o Raj Narain Rai, R/o Village- Saifpur, P.S.- Ganga Bridge, Distt- Vaishali.
3. Raj Kumar Rai S/o Raj Narain Rai, R/o Village- Saifpur, P.S.- Ganga Bridge, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Ganga Bridge P.S. Case No. 176 of 2019, lodged under Sections
302/34 of the Indian Penal Code.

As per prosecution case, it has been alleged that in the
evening of 08.10.2019 younger brother of informant was
moving in village when informant called him on Mobile, then
he has informed that they are near Ganga Bridge and they shall



return soon. When the brother of informant has not returned after half an hour, then informant reached there and found that his brother was present with 6 named accused near pillar no.9. Upon request the brother of informant told him that he shall return after 2-4 songs, thereafter, the informant returned back. When in the morning, brother of informant has not come, then the informant started searching and found that the dead body of his brother was there in the Saifpur Kelwani. On the basis of suspicion, the present case has been filed, in which, 6 persons were made accused.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that only on the basis of suspicion the name of petitioners have figured in this case. He also submits that antecedent of petitioners are clean, petitioner no.1 & 2 are in custody since 20.09.2022 and petitioner no.3 is in custody since 21.07.2022. He further submits that other similarly situated co-accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 28.05.2020 & 09.03.2021 passed in Cr. Misc. No. 5812 of 2020 & Cr. Misc. No. 2785 of 2021.

Learned counsel for the State opposes the prayer for



bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 176 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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