

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79093 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- GANGABRIDGE District- Vaishali

UPENDRA RAI Son of Kinta Rai R/o vill - Saraipur, P.S- Gangabridge, Distt.
- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Section 365 of the Indian Penal Code and subsequently added Sections 364, 302, 201 and 120B of the Indian Penal Code .

3. It is a case of commission of abduction and thereafter committed murder of the informant's brother Jai Prakash Rai.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He is not named in the F.I.R. The name of the petitioner has come during course of investigation on the basis of



confessional statement of co-accused Kashinath Ray who is full brother of petitioner as per impugned order but petitioner is separate from his brother from the last 8 years and has no concern with his affairs. Except the confessional statement of co-accused no any consistent evidence has come against the petitioner which shows his involvement in the present occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 28.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali, Hajipur in connection with Gangabridge P.S. Case No.154 of 2023.

(Sunil Kumar Panwar, J)

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