

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17624 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- JANDAHA District- Vaishali

Subodh Rai Son of Hemnarayan Rai R/o vill - Fatehpur Pakari, Piroi, P.S. -
Mahua, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Shankar Prasad, Adv

For the Opposite Party/s : Mr.Narendra Kumar Singh,APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jandaha P.S. Case No. 140 of 2023 dated 11.05.2023 registered for the offence punishable u/ss 32, 120(B) read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused Sunil Kumar are alleged to have committed murder of younger son of the informant and disappeared the dead body of the deceased.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.05.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner and the co-accused person took away the deceased on the motorcycle with intent to kill him and disappeared his dead body. It is submitted that the petitioner has stated the modus operandi as to how the occurrence took place with the association of the accused persons. As per the para 47 of the case diary, at the instance of *Subodh Rai*, the shirt, pant and shoes with blood stains, and the motorcycle used in crime of the petitioner were recovered from the house of the petitioner. Prior to the incident, the deceased was seen with the co-accused Sunil Rai and the petitioner on the motorcycle as per CCTV Footage. The said motorcycle was being driven by the petitioner and the same belonged to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Jandaha P.S. Case No. 140 of 2023 pending in the court of learned J.M-1st class,



Vaishali at Hajipur.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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