

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22257 of 2024

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

Kashinath Rai Son Of Kinta Rai R/O-Saraipur, P.S.-GANGABRIDGE, Distt.-
VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Adv.

Ms. Sunidhi Vimal, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 26-06-2024 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Ganga Bridge P.S. Case No. 154 of 2023, lodged on 19.07.2023
under Section 365 of the Indian Penal Code and subsequently
added sections 364, 302, 201, 120(B), 34 of the Indian Penal
Code.

3. As per the prosecution case, FIR has been lodged
against unknown accused persons. From the FIR, it transpires to
this Court that initially the case of kidnapping was filed, but
subsequently, dead body was recovered and the case was
converted into section 302 of the IPC along with other sections.

4. Learned senior counsel for the petitioner submits



that the petitioner is innocent and has committed no offence. Counsel also submits that save and except the confessional statement, there is absolutely nothing against the present petitioner. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 28.07.2023.

5. Learned senior counsel for the petitioner submits that there is no evidence even on the basis of confessional statement which has been taken by the police. Counsel submits that initially the dead body was found for which a separate case has been lodged and subsequently, the confessional statement has been taken by the police from the present petitioner. Counsel also submits that from the post-mortem report, the sign of strangulation is there. Counsel submits that other co-accused persons have been granted bail by the Co-ordinate Bench of this Court which is annexed as Annexure-P/2, Annexure-P/3 and Annexure-P/4 respectively.

6. Learned APP for the State opposes the prayer for bail of the petitioner

7. Upon specific query of the Court from the counsel for petitioner that whether charge has been framed in this case or not, counsel submits that he is not aware that whether charge has been framed or not.



8. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur in connection with Ganga Bridge P.S. Case No. 154 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J)

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