

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29673 of 2024

Arising Out of PS. Case No.-417 Year-2019 Thana- SARAI District- Vaishali

Rahul Kumar Son of Vijay Ray @ Vikram Rai Resident of Village- Sadapur
Dasrat Chok, P.S.- Mahua, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that that informant alleged that while his brother was returning home after discharging his duty, he was committed murder near house of Deo Narayan Rai. The informant suspects that Mahesh Thakur has killed his brother because he wanted to marry his daughter with informant's brother forcibly.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence.



The petitioner is not named in FIR rather he has falsely been implicated in this case merely on suspicion. The petitioner has no concern with the alleged offence and his name has been transpired in his case on the basis of confession made by co-accused Manish Sahni before the police, which has got no evidentiary value in the eye of law. No any consistent or cogent material has brought on record against the petitioner. Moreover, similarly situated co-accused Pankaj Kumar has already been granted bail by this Court vide order 29.3.2023 passed in Cr. Misc. No. 2214 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 7.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sarai P.S. Case No. 417 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Chief
Judicial Magistrate-16th, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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