

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39455 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- BAIRIYA District- West Champaran

Rahul Kumar @ Rahul Kumar Ram, Gender-Male, Aged about 30 years, Son
Of Ramlal Ram, Resident Of Village - Shahu Tola, Jaitiya, P.S. - Chanpatia,
District - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bairiya P.S. Case No.48 of 2024 instituted for the offences
punishable under Sections 384 and 506 of the Indian Penal
Code.

3. As per F.I.R., it is a case of demand of ransom
money from the informant by unknown caller and threatening
for killing the informant along with his family.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to village politics.
Petitioner is not named in the F.I.R. rather his name transpired



during investigation on the basis of confessional statement of co-accused.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R. and impugned order dated 07.05.2024, it appears that petitioner is not named in the F.I.R. and his name transpired during course of investigation from the confessional statement of co-accused namely, Sanjit Kumar and except this there is no any other material on the records which shows his involvement in the alleged crime. The confessional statement before the police is not admissible in the eye of law. Petitioner is in judicial custody since 16.03.2024

7. Considering the facts and circumstances of the case and submission made on behalf of the petitioner, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Bettiah, West Champaran in connection with Bairiaya P.S. Case No. 48 of 2024.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a



period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that **if the charge-sheet has not been submitted** then the petitioner shall be released on bail on above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge. Further, the petitioner shall present physically on each and every date before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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