

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41454 of 2024

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

Nandan Patel @ Kumar Nandan Patel, Male, aged about 24 years, Son of Shivaji Kumar, R/O -Village-SENUARIAI Ps- Majhaulia District- West Champaran Bettiah Bihar-845454

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajni Kant Singh,, Advocate
		Mr. Manish Kumar, Advocate
		Mr. Sandeep Kumar, Advocate
For the Opposite Party/s :		Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-07-2024 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 dirty 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 Rahul Kumar, who has already been granted bail by a co-ordinate Bench of this Court. Learned counsel for the petitioner further submits that charge has already been framed in this case. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 16.03.2024.

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, Rahul Kumar @ Rahul Kumar Ram 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. Similarly situated co-accused person namely Rahul Kumar @ Rahul Kumar Ram has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 39455 of 2024 vide order dated 21.05.2024, respectively.

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 on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bairiaya P.S. Case No. 48 of 2024.

(Ramesh Chand Malviya, J)

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