

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52924 of 2024

Arising Out of PS. Case No.-137 Year-2023 Thana- GOPALPUR District- Patna

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Ram Bachan Ray @ Rambachan Rai S/O Raj Ballav Rai R/O Village- Bairya,
P.S- Gopalpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for
offence under Sections 363, 365 of the Indian Penal Code and
later on, vide order dated 04.03.2023, Sections 302, 201/34 of
the Indian Penal Code were added.

3. As per prosecution case, on 01.03.2023, the son of
informant had gone from his house in the night at 12.30 AM, but
did not return.

4. Learned counsel for the petitioner submits that
F.I.R. has been lodged against unknown. Name of the petitioner
transpired during course of investigation on the basis of
confessional statement of co-accused Richa Kumari, which has
got no evidentiary value in the eye of law. No case is made out
under Section 302 of the Indian Penal Code, since till date,
dead-body of the victim has not been found. Similarly situated



co-accused Ashish Kumar has been granted bail by this Court, vide order dated 10.05.2024 passed in Cr.Misc. No. 6557 of 2024 (Annexure P/3). Petitioner has got clean antecedent and is in custody since 22.12.2023. Chargesheet has been submitted.

5. Learned A.P.P. for the State vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna in connection with Gopalpur P.S. Case No. 137 of 2023.

(Prabhat Kumar Singh, J)

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