

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61032 of 2024

Arising Out of PS. Case No.-180 Year-2022 Thana- GANGABRIDGE District- Vaishali

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Raja Kumar @ Abhishek Kumar Singh @ Abhishek Kumar Son Of Rajeev
Ranjan Singh R/O Village- Araj Kachanpur, P.S- Biddupur, Distt.- Vaishali.
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Prakash Sahay, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-12-2024 Heard Mr. Aditya Prakash Sahay, learned counsel

for the petitioner and Ms. Rita Verma, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ganga Bridge P.S. Case No. 180 of 2022, F.I.R. dated 24.07.2022 for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

3. According to prosecution case, the case relates to murder of the mother of the informant after committing rape against unknown.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the FIR the name of the petitioner has transpired during the investigation on the basis of the confessional statement of the co-accused person, namely, Raju Kumar @ Raju. He further



submits that from a bare perusal of the confessional statement of the co-accused person it appears that the petitioner along with other co-accused persons have committed rape upon the victim and thereafter they murdered her but the post-mortem does not support the allegation as alleged in the FIR and there was no sign of rape was found on the person of the deceased.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired on the basis of the confessional statement of the co-accused person, namely, Raju Kumar @ Raju and number of witnesses have also supported the case of the prosecution and apart from that the petitioner carries one more case other than the present one but fairly submits on the basis of the para-3 of the bail application that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned



C.J.M., Vaishali at Hajipur in connection with Ganga Bridge
P.S. Case No. 180 of 2022, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure
and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be
properly represented on each and every date fixed by the court
and shall remain physically present as directed by the court and
on his absence on two consecutive dates without sufficient
reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the
witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

iii. And further condition that the court below shall
verify the criminal antecedent of the petitioner and in case at
any stage it is found that the petitioner has concealed his
criminal antecedent, the court below shall take step for
cancellation of bail bond of the petitioner. However, the
acceptance of bail bonds in terms of the above-mentioned order
shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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