

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69147 of 2024

Arising Out of PS. Case No.-237 Year-2024 Thana- KANKARBAG District- Patna

Rahul Kumar Das Son of Ajay Kumar Das Resident of Ramadhar Gali,
Karbigahiya, P.S. - Jakkanpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satrudhan Kumar
For the State : Mr. Nawal Kishore Prasad
For the informant : Mr. Ranvijay Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 25-10-2024 1. Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Kankarbagh Police Station Case No. 237 of 2024, disclosing offences under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 04.04.2024, the brother of the informant, who was working as a vendor in Anamica Indane Gas Agency, Kankarbagh, was shot dead by two unknown persons riding on a motorcycle.
4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has been implicated in this case inasmuch as the First Information Report has been lodged against unknown and the name of the petitioner surfaced on the basis of confessional statement of co-accused Sandip Kumar Yadav and Rahul Kumar Das which has got no evidentiary value in the eyes of law. He further submits that the petitioner is in custody since 06.04.2024.

5. On the other hand, learned Counsel for the informant and the Additional Public Prosecutor vehemently oppose the prayer for bail and submit that there was a previous dispute between the deceased and Rahul Kumar Das (petitioner). A conspiracy was hatched at the house of co-accused Prince Raj. The police, during investigation, arrested Sandip Kumar Yadav, Rahul Kumar Das, Suraj Kumar Mahto and Prince Raj and co-accused Sandip Kumar Yadav, in his statement recorded before the police, has disclosed that brother-in-law of Rahul Kumar Das gave a sum of Rs. 5,000/- for killing of the deceased and further promised to give Rs. 25,000/-. The informant's brother was shot dead by co-accused Sandip Kumar Yadav. Prima facie it is a case of contract killing.
6. Regards being had to the submissions made by the parties



and taking into consideration the seriousness of the offence and the fact that name of the petitioner has been disclosed by the co-accused who has shot dead the informant's brother, I am not inclined to grant regular bail to the petitioner.

- 7. This application is, accordingly, dismissed.
- 8. However, the petitioner may renew his prayer for bail after one year from today, if the trial does not show any progress.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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