

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74283 of 2024

Arising Out of PS. Case No.-366 Year-2020 Thana- BIDUPUR District- Vaishali

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Guddu Kumar Ray @ Rajnish Ray, Son of Raghunath Ray, Resident of
Village- Bidupur Dih, P.S.- Bidupur, Dist.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-11-2024 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the

State.

2. The petitioner seeks bail in connection with

Bidupur P.S. Case No. 366 of 2020 registered for the

offences under Sections 341, 323, 324 and 307 of the Indian

Penal Code (for short 'I.P.C.'). Later on Section 302 of the

I.P.C. was added.

3. The accused/petitioner is not named in the F.I.R.

and is in custody since 20.08.2024.

4. The allegation against the petitioner is to commit

murder of the brother of the informant alongwith unknown

co-accused persons by means of inflicting knife injury on the



vital parts of the body of the deceased out of previous enmities.

5. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused Anant Prakash while he was arrested in Bidupur P.S. Case No. 488 of 2020. It is submitted that out of said confession of co-accused Anant Prakash, no incriminating material recovered/surfaced during the course of investigation, which may incriminate this petitioner, *prima facie*, with present occurrence of murder. It is submitted that petitioner was the tenant of co-accused Anant Prakash, where disputes is related with payment of rent and out of same dispute, co-accused Anant Prakash, while apprehended in Bidupur P.S. Case No. 488 of 2020, named this petitioner without having any connecting evidence. While concluding the argument, it is submitted that petitioner found involved in eight more criminal cases and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.



6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as save and except confessional statement of co-accused, nothing incriminating appears against this petitioner, where petitioner is in custody since 20.08.2024 coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bidupur P.S. Case No. 366 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/under Section 480 of the BNSS.

(Chandra Shekhar Jha, J.)

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