

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1044 of 2024

Arising Out of PS. Case No.-197 Year-2023 Thana- RAJGIR District- Nalanda

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Rahul Kumar S/O GANAURI RAJBANSHI VILLAGE- DHAMAR, PS. RA-
JGIR, DIST. NALANDA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 302, 201, 120B, 34 of the Indian Penal Code.

3. As per FIR, the allegation against the FIR named accused persons is that they in conspiracy committed murder of the informant's husband due to previous dispute.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is not named in the FIR and he has falsely been implicated in this present case merely on the basis of confessional statement of co-accused which



does not get evidentiary value in the eye of law. The informant is not an eye witness of the alleged occurrence and there is no specific allegation against the petitioner . Similarly situated co-accused has already been granted bail by this Court vide order dated 05.12.2023 passed in Cr. Misc No. 77236 of 2023. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 17.04.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rajgir P.S. Case No. 197 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif.

(Sunil Kumar Panwar, J)

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