

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5619 of 2025

Arising Out of PS. Case No.-36 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Raju Kumar @ Raju @ Raju Rai @ Raj Kumar S/O Late Jhulan Rai @ Late Krishna Prasad Rai Resident of- Dighi Kala Paschim, PS- Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, APP Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 36 of 2024 registered for the alleged offences under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, four miscreants on two motorcycles opened indiscriminate fire upon the father of the informant and on one his associate killing them on spot. The informant named two persons apart from other co-accused persons for being involved in the murder of father and his associate. The name of the petitioner transpired during



investigation for being involved in the double murder along with other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. In the FIR the petitioner has not been named though subsequently it has been disclosed that the petitioner was also having land dispute with the deceased father of the informant and for this reason he conspired with co-accused to kill the father of the informant. The name of petitioner first transpired in this case in the confessional statement of co-accused Prince Kumar and subsequently, the petitioner was arrested and his confessional statement was also recorded. But apart from the confessional statements of the petitioner and the co-accused, no material has come on record to establish the case against the petitioner. Moreover, the confessional statements have got no sanctity. Though the petitioner was arrested, nothing incriminating has been recovered from the person or possession of the petitioner. The petitioner is having antecedent of two cases and he is on bail in both the cases. The petitioner is in custody since 06.09.2024 and charge sheet has been submitted.

5. Learned APP opposes the submission made on



behalf of the petitioner. Learned APP submits that the name of the petitioner transpired during investigation and he has criminal antecedent of similar nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioner and also considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned Court in connection with Hajipur Sadar P.S. Case No. 36 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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