

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6593 of 2025

Arising Out of PS. Case No.-220 Year-2023 Thana- DESARI District- Vaishali

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Rajan Kumar @ Ranjan Kumar S/o Ajeet Rai @ Mukesh Rai R/o vill -
Amdipur, Dhamaun, P.S. - Patori, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Zainul Abedin, APP
For the Informant	:	Mr. Hemant Ray, Advocate Mr. Sharad Kumar Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-04-2025 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 365 of the Indian Penal Code and subsequently, Sections 364, 302, 120(B) and 201/34 has been added.

3. The case of the prosecution is that the son of the informant, namely, Prabhat Kumar @ Nikhil Kumar was missing from 30.05.2023. On that date, at 9:30 A.M. he called and informed that he is going to appear in the examination at Desari Birchandra Singh College. After that the son of the informant did not return. Hence, the present case.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the occurrence took place on 30.05.2023 whereas the First Information Report was lodged on 16.06.2023 for which there is no explanation on behalf of the informant. It is further submitted that during investigation, one Geeta Devi gave her confessional statement in which she named one Bijeshwar Rai. Bijeshwar Rai also gave his confessional statement in which he named this petitioner. This petitioner has also gave his confessional statement and from the confessional statement of the petitioner, it is clear that the only role of this petitioner is that after the occurrence, the dead body was put in his car and he was forced to drive the car, otherwise he will be removed. Except the self-confession of this petitioner, there is nothing on record to implicate him in the present case. Further submission is that similarly situated co-accused, namely, Bijeshwar Kumar Rai @ Bijeshwar Kumar @ Brijeshwar Kumar has since been extended the privilege of bail vide order dated 21.01.2025 passed in Cr. Misc. No. 73399 of 2024 by a Bench of this Court. Moreover, the petitioner is languishing in judicial custody since 19.10.2024 having no criminal antecedent.



5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Desari P.S. Case No. 220 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 Additional Chief Judicial Magistrate-IX, Hajipur.

(Ashok Kumar Pandey, J)

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