

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11918 of 2025

Arising Out of PS. Case No.-202 Year-2022 Thana- GWALPARA District- Madhepura

Rahul Kumar Son of Vishnudev Mehta Resident of Village -Temabhela, ward
no 3, PS -Gwalpara, Dist- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bambahadur Jha, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-02-2025 Heard learned counsel appearing on behalf of
the petitioner and learned counsel appearing on behalf
of the State.

2. The accused-petitioner seeks bail in
connection with Gwalpara P.S. Case No. 202 of 2022
registered for the offence under Sections 302/34 of the
Indian Penal Code and under Section 27 of the Arms
Act.

3. The accused-petitioner is not named in the
F.I.R. and is in custody since 28.11.2024.

4. The allegation against the petitioner is to
commit murder of son of informant alongwith other co-
accused persons by causing firearm injuries after
calling him outside from his house, where soon before
the occurrence a call over mobile phone was made to



the deceased.

5. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner transpired in this case during course of investigation on the basis of confessional statement of co-accused, namely, Dhruv Kumar Mandal, who was granted bail by this court vide order dated 19.07.2024 passed in Cr. Misc. No. 33382/2024, in furtherance of which, no incriminating material appears to be recovered/surfaced during the course of investigation as to connect the petitioner *prima-facie* with the present occurrence of murder.

6. While concluding argument, it is submitted that investigation of this case has been completed, for which charge-sheet has been submitted, and, as such, there is no chance of tampering with the evidence, and moreover, petitioner found involved in two more criminal cases where he is on bail.

7. Learned A.P.P. for the State opposes the prayer of bail of the petitioner.

8. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion as raised through confessional statement of co-accused Dhruv Kumar



Mandal, nothing surfaced against this petitioner during the course of investigation as to connect him with present occurrence of murder coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 28.11.2024, accordingly, above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Udakishunganj, Madhepura/concerned court in connection with Gawalpara P.S. Case No. 202 of 2022, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. /Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

Rajeev/-

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