

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78518 of 2024

Arising Out of PS. Case No.-211 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Akhilesh Ray Son of Jagarnath Ray R/O village- Bangra Nizamat, P. S-
Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sahebganj P.S. Case No. 211 of 2024 registered on 27.04.2024 for the alleged offences under Sections 302 and 201/34 of the Indian Penal Code.

3. As per prosecution case, dead body of the sister of the informant was recovered near a bridge and name of the petitioner transpired during investigation as the person who committed the murder of the sister of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the FIR and merely on suspicion he has been arraigned in this case. Nothing



incriminating has been recovered from the person or possession of the petitioner. There is no eye-witness to the alleged occurrence and no one has seen the petitioner with the deceased at any point of time. Petitioner has been made accused on saying of the family members of the deceased as the petitioner has been working in the same ply factory with the deceased. Confessional statement of the petitioner was recorded to implicate him in this case but the said statement has got no legal sanctity. Petitioner is in custody since 05.05.2024 and charge-sheet has been submitted. Petitioner has got one criminal antecedent under Bihar Prohibition and Excise Act and in which he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the deceased developed relationship with this petitioner and the petitioner killed the sister of the informant and threw the dead body.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material to connect the petitioner with the offence as alleged and further considering the period of custody of the petitioner coupled with 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 A.D.J.-5, Muzaffarpur/concerned court in connection with Sahebganj P.S. Case No. 211 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure 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 bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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