

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33225 of 2018

Arising Out of PS. Case No.-155 Year-2017 Thana- BAKHTIYARPUR District- Patna

Ranjan Kumar Son of Ram Swaroop Rai Resident of Village - Budhra, P.S. -
Athmalgola, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner has earlier moved this Court for grant of
bail in Cr. Misc. No. 44348 of 2017, which was rejected vide
order dated 27.11.2017.

Petitioner is languishing in judicial custody since
09.05.2017 in connection with Bakhtiyarpur P.S. Case No. 155
of 2017 for offences punishable under Sections 302/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he along with his family members had gone for a
marriage ceremony, on coming back he found a foul smell
coming from his Bhabhi's room. On breaking the lock, his
Bhabhi was found dead with black mark on the neck. It is



alleged that the daughter of his Bhabhi co-accused Pallavi Kumari, who was in love with the petitioner, who was her paramour, had killed her mother along with the petitioner.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and it is only on the confessional statement of minor Pallavi Kumari that he has been made accused in the aforesaid case. He submits that other daughter of the deceased Palak Kumari, who was also an eye-witness to the occurrence, her statement has not been taken by the police.

However, learned APP for the State opposes the prayer for bail.

In this regard, a report was called for regarding the stage of trial and it has been reported by the Additional Chief Judicial Magistrate, Barh that since the other accused Pallavi Kumari was a minor, the case of the minor has been referred to the Juvenile Justice Board.

Considering the facts and circumstances and the materials on record as well as the period of custody and that the trial has not yet commenced, let petitioner, above named, be enlarged on bail 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, Barh, Patna, in connection with Bakhtiyarpur P.S. Case No. 155 of 2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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