

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4980 of 2019

Arising Out of PS. Case No.-107 Year-2014 Thana- RAGHUNATHPUR District- Siwan

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- 1) Prabhu Nath Singh
2) Satyendra Singh @ Satendra Singh
Both sons of late Babu Lal Singh, resident of village, Ahirwaliya, P.S.
Manjhagarh, District, Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti
For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 08-02-2019 Heard learned counsel for the parties.

Petitioners seek bail in Raghunathpur P.S. Case No. 107 of 2014 giving rise to Sessions Trial No.428 of 2018 registered for the offence punishable under Sections 302, 120B/34 of the Indian Penal Code.

Informant is brother of the deceased who in his F.I.R. has stated that his brother Baldev Mishra for going abroad had given rupees sixty five thousand to accused Prabhunath Singh, Satyendra Singh and Ravi Kumar Singh but subsequently Visa provided by them was found to be forged. Thereafter, he demanded the money and for which he filed a compliant case also upon which F.I.R. named accused threatened to kill him and on 19.06.2014, his brother was called by them for payment of



the amount but next day, his dead body was found.

During investigation, the police did not find the allegation in F.I.R. to be true and submitted charge-sheet against one Jagmohan Kumar Dubey as he had illicit relation with the wife of the Baldev Mishra however, suppl. investigation against the petitioners were kept continued.

It has been submitted on behalf of the petitioners that the said Jagmohan Kumar Dubey has already been granted bail, as contained in Annexure 4 and similarly placed accused Ravi Kumar Singh has been granted bail by the court below as contained in Annexure 3. It has been further submitted that the petitioners had filed anticipatory bail and, a direction was given to surrender before the court below within four weeks from the date of order but they surrendered much thereafter and on this ground, bail application of the petitioners has been rejected. Petitioners are in custody since 02.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Siwan in connection with Raghunathpur P.S. Case No. 107 of 2014 with following



conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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