

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79191 of 2018

Arising Out of PS. Case No.-199 Year-2017 Thana- DELHA District- Gaya

Ram Bhajan Ram, Son of Ram Jatan Ram, Resident of Village-Barki Delha,
Vijay Bigha, P.S-Delha, District-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 06-03-2019 As prayed for, learned counsel for the petitioner is permitted to make necessary corrections in the prayer portion of the present bail application.

Heard Mr. Rama Kant Sharma, learned Senior Counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is in custody since 11.12.2017 in connection with S.T. No.354 of 2018 arising out of Delha P.S. Case No.199 of 2017 registered for the offence under Section 302/201 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected vide order dated 2.5.18 passed in Cr.Misc. No.19709 of 2018 with liberty to the petitioner to renew his prayer for bail



after framing of charge.

It is submitted that charge has now been framed on 04.09.2018, but as per the report of the trial Judge in Sessions Trial No.354/2018, it appears that till date no single witness has been produced for examination. Learned counsel for the petitioner thus submits that in view of the liberty granted to the petitioner, the petitioner may be extended the privilege of bail and he shall co-operate in the trial as and when required.

Learned counsel for the State after perusal and consideration of the entire facts and circumstances of the case submits that the petitioner had taken away the victim lady and thereafter her dead body was found in the close proximity of the residence of the petitioner and thus he may not be extended the privilege of bail as there was strained relationship between them and there is all possibility that the petitioner may be involved in the said occurrence.

Having considered the entire facts and circumstances of the case and also after consideration of the fact that the petitioner has already been in custody for about one year and three months and save and except the suspicion, there is no further material in the case diary to implicate the petitioner, let the petitioner, above named, be released on bail



on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-III-cum-Spl. Judge (M.P., M.L.A., M.L.C.), Gaya, in connection with S.T. No.354 of 2018 arising out of Delha P.S. Case No.199 of 2017, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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