

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78398 of 2019

Arising Out of PS. Case No.-217 Year-2019 Thana- BARHARA District- Bhojpur

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1. MUNNA RAI @ MUNNA RAY Son of Ram Kishun Rai Resident of Village - Mani Chhapara, P.S.- Brahara, District - Bhojpur.
 2. Nitish Rai @ Nitish Ray @ Nitish Kumar Son of Bhavanath Rai @ Bhavanath Ray Resident of Village - Mani Chhapara, P.S.- Brahara, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar Seth
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners, who are in custody, seeks bail in connection with Barahara P.S. Case No. 217 of 2019 registered for the offence punishable under Sections 302/34/120(B) of the Indian Penal Code.

Informant in his fardbeyan has stated that his son Krishna Rai had gone to attend Tilak Ceremony on 18.06.2016 in the house of Kanhaiya Roy and after dinner his younger son Laxman Rai returned back but his elder son Krishna Rai did not return till morning and next day on 19.06.2019 a dead body was



found who was identified as his son Krishna Rai. He has raised suspicion against Chunnu Rai, Akshay Rai and Pradeep Rai and has further stated that his son had love affair with the daughter of Ganesh Rai and for that reason the son of Ganesh Rai, Chunnu Rai with his friends Akshay Rai and Pradeep Rai has killed his son and thrown the dead body.

It has been submitted on behalf of petitioners that petitioners are not named in the FIR and their names has transpired in this case on the basis of confessional statement made by one co-accused Manager Paswan. It has further been submitted that FIR named accused Akshay Rai and Pradeep Rai have been granted regular bail by this Hon'ble Court vide order dated 27.11.2019 passed in Cr. Misc. No. 54143 of 2019 and order dated 04.11.2019 passed in Cr. Misc. No. 61157 of 2019 respectively. Petitioners have no criminal antecedents and are in custody since 30.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court below, in connection with Barahara P.S. Case



No. 217 of 2019 subject to the conditions that:-

(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 their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.

(3) If the petitioners tampers 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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