

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13711 of 2020

Arising Out of PS. Case No.-235 Year-2019 Thana- JAMUI District- Jamui

DAMODAR RAWAT, S/O Late Ram Dular Ravat, Resident of Village -
Lagma, P.S.- Jamui, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Jha, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-06-2020 This case has been heard through Video Conferencing.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered for the offence
punishable under Sections 302/34, 201/ 120 (B) of the Indian
Penal Code.

The prosecution case is that on 04.05.2019 at about 9.00
p.m. the deceased (son of the informant) was taken away from the
Maharajganj Chowk by Bantu Rawat, Sunil Pandit and Damodar
Rawat (petitioner) and on 05.05.2019 at about 6.00 a.m. his dead
body was thrown by them in a sack near Madan More, Lakhisarai.
Informant has firm belief that his son has been killed under a
conspiracy by Bantu Rawat, Sunil Pandi, Damodar Rawat
(petitioner with the help of some persons and in order to eliminate
the evidence his dead body has been thrown in a sack near Madan



more, Lakhisarai.

Learned counsel for the petitioner submits that the petitioner is innocent and has not committed the offence as alleged or at all, he has been falsely implicated for the alleged offence. The petitioner was not named in the FIR only on the basis of suspicion of the informant. He has submitted that there are three persons named in the FIR. Other similarly situated co-accused namely Bantu Rawat and Sunil Pandit have been granted regular bail by the Co-ordinate Benches of this court dated 21.11.2019 passed in Cr. Misc. No.60290 of 2019 and dated 18.12.2019 passed in Cr. Misc. No.69881 of 2019. The petitioner is in custody since 05.11.2019.

Learned APP for the State has opposed the prayer for bail and has submitted that it has come during course of investigation that the deceased was last seen with the petitioner and other named co-accused persons and therefore, the suspicion expressed by the informant in the FIR stands vindicated.

Be that as it may, I am convinced with the submission advanced on behalf of the petitioner that the petitioner's case is similarly situated with that of co-accused Bantu Rawat and Sunil Pandit who have been allowed regular bail by this Court, as noted above.

Considering the aforesaid facts and circumstances, let the



petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Adarsh Thana Jamui P.S. Case No. 235 of 2019 (G.R. No.1236 of 2019) to the satisfaction of the learned C.J.M, Jamui, subject to the following conditions:

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

(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 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.

(Anjani Kumar Sharan, J)

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