

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80927 of 2019**

Arising Out of PS. Case No.-418 Year-2018 Thana- MADHUBANI TOWN District-  
Madhubani

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Sajan Ram Son of Santosh Ram @ Kailash Ram @ Kaila Ram Resident of  
Mohalla - Chavachha Chowk, Ward No. 3, Madhubani, P.S. Madhubani  
(Town), District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      13-01-2020                      Heard the learned counsel for the petitioner and the  
  
learned APP for the State.

The petitioner seeks regular bail in connection with  
Madhubani (Town) P.S.Case No.418 of 2018 instituted for the  
offences punishable under Sections 364, 302 and 201 of the  
Indian Penal Code.

Petitioner and others forcefully took away the  
deceased and later on a dead body was found. Petitioner is in  
custody since 13.09.2019 Investigation of the case is already  
complete.

Submission is that only after recovery of the dead  
body, false allegation has been levelled for previous enmity.  
There is no eye witness of the actual occurrence of murder.



Petitioner has got no criminal antecedent.

Considering the nature of allegation of kidnapping for the purpose of murder, in my view, the petitioner should be released on bail only *after framing of the charge*. Hence, the trial court is directed to expedite the framing of the charge.

After framing of the charges, let the petitioner be released on regular 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, Madhubani in connection with Madhubani (Town) P.S.Case No.418 of 2018(G.R.No.2316 of 2018), subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner and also that the petitioner shall not leave the country without permission of the Court.

**(Birendra Kumar, J)**

B.Kr./-

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