

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81826 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- NALANDA District- Nalanda

-
1. MUKESH RAUT @ BUTI Son of Jagdish Raut
 2. Vicky Raut Son of Sri Ganpat Raut
Both Resident of Village-Mehandi Nagar, P.S.-Nalanda, District-Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Manglam, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-05-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

The petitioners are languishing in custody for the offence punishable under Section 302/34 of the Indian Penal Code.

Co-accused Bhagirath Raut, Ganpat Raut and Goltan Raut had taken Sikandar Kumar @ Bauajee the full brother of the informant. The petitioners were carrying Sikandar Kumar on a three-wheeler and when they saw the informant they fled away and Sikandar Kumar was found dead.

Learned counsel for the petitioners submits that the post mortem report would reveal that the doctor is still unaware



about the cause of death. There is no eyewitness of the actual occurrence of death of Sikandar. The petitioners have got no criminal antecedent. They are in custody since 19.07.2019. Investigation of the case is already complete. In fact, when the petitioners found the dead body of Sikandar they were carrying the dead body to the village. However, due to fear of the informant they fled away.

Learned counsel for the informant opposed the prayer for bail.

Considering the lack of direct material against the petitioners and completion of investigation as well as the fact that there is no material to substantiate that the petitioners are going to tamper with the evidence or hamper with the trial, let the petitioners, above named, be released on bail, on furnishing bail bond of Rs.20000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Nalanda P.S. Case No. 68 of 2019 with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioners 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 petitioners.

(c) The petitioners shall not leave the country without permission of the trial Court.

If the petitioners would not be able in furnishing sureties due to lock-down, he shall be provisionally released on his personal bond and the provisional bail shall be confirmed only after production of the bailors within fifteen days of restoration of normal function of the Court.

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

