

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11810 of 2021**

Arising Out of PS. Case No.-268 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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Baidyanath Ram @ Baidy Anath Ram S/O Sahdeo Ram @ Sahadev Ram
Resident of Village- Simar, P.S.- Sadar (Mabbi O.P.), Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kedar Jha, Adv.
For the Opposite Party/s	:	Mr. Rajiv Nayan, APP
For Informant	:	Mr. Parth Gaurav, Adv.

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 16-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201 and 120B of the Indian Penal Code.

As per allegations in the F.I.R., on the dead body of the son of the informant having been recovered, it is stated that 2-3 days ago he had a quarrel with the accused persons.

It is submitted by learned counsel for the petitioner that an unsubstantiated suspicion has been raised by the informant. No material has transpired to connect him with the alleged crime. The only material which has come in course of investigation is the confessional statement of the petitioner and



coaccused made before the police which is inadmissible. Investigation in the case has concluded. The petitioner has no criminal antecedent and is in custody since 30.6.2020.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the accused persons accepted their guilt in course of investigation. It is further submitted that if he is enlarged on bail, he would not let the trial proceed hence the application for bail be rejected.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for more than 1 year and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Sadar (Mabbi O.P.) P.S. Case no. 268 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga.

It is directed that the petitioner shall cooperate in the trial. In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation of the petitioner, learned trial Court will be at liberty to cancel the bail bond of the petitioner and take him into custody till conclusion of the



trial.

(Partha Sarthy, J)

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