

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15600 of 2021

Arising Out of PS. Case No.-203 Year-2018 Thana- BHAGWAN BAZAR District- Saran

Kamal Rai S/O Balchand Ray R/O Katra Newaji Tola, Police Station-
Revilganj, District-Saran At Chapra.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satya Prakash, Advocate

For the Opposite Party/s : Smt. Anita Kumari Singh A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 364/34 of the Indian Penal Code.

As per the prosecution case, one Dinesh Rai called brother of the informant and took him, thereafter brother of the informant did not return and when he inquired about him from co-accused Dinesh Rai, he feigned ignorance and it is also stated that friend of Dinesh Rai informed that his brother has been murdered.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has come in the confessional statement of co-accused Dinesh Rai, and save and except this, no incriminating material has been collected



during course of investigation against the petitioner. Several similarly situated co-accused have already been allowed bail by different co-ordinate benches of this Court vide paragraph 9 of the bail petition. Petitioner has claimed clean antecedent and he is in custody since 4.9.2020.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties and materials available on the record, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapura in Bhagwan Bazar Police Station Case No. 203 of 2018 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(Prabhat Kumar Singh, J)

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