

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.26472 of 2021

Arising Out of PS. Case No.-358 Year-2013 Thana- HAJIPUR SADAR District- Vaishali

CHITRANJAN KUMAR @ CHITRANJAN KUMAR SINGH SON OF
LATE HARDEV SINGH R/O VILLAGE- BIBIPUR, P.S.- VAISHALI
BELSAR O.P., DISTRICT- VAISHALI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha
For the Opposite Party/s : Mr. Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302, 120B, 34 of the
Indian Penal Code.

As per the prosecution case, one Ram Balak Rai was
found dead in the night of 21.10.2013 while he was confined in
Ward No. ¾ of jail and as such the inmates of Ward No. ¾ were
suspected to have killed him.

It is submitted that petitioner has been made accused
in the case on the basis that he was also one of the inmates of
the Ward where the detenu, Ram Balak Rai, was found killed.
The post mortem report reveals that the detenu died because of
Asphyxia and throttling and there is no evidence that all those



persons who were staying in the same Ward have killed the deceased. Similarly situated co-accused, Guddu Kumar and others have already been granted bail by a coordinate Bench of this court vide order dated 22.09.2014 passed in Cr. Misc. No. 28712/2014 and other analogous cases. Petitioner is in custody since 20.12.2020.

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

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released 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, Vaishali at Hajipur in connection with Hajipur Sadar PS case No. 358/ 2013 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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