

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20608 of 2020

Arising Out of PS. Case No.-77 Year-2019 Thana- HARSIDHI District- East Champaran

RANJEET RAI @ RANJIT RAI @ RANJEET KUMAR RAI Son of Lalan
Ray Resident of Village- Bhada, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Madhurendra Kumar, Advocate

For the Opposite Party : Mr.Umeshanand Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 06-09-2021 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 section 302/ 34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, police recovered a dead body lying near a canal leading to lodging of the instant case against unknown miscreants. Father of the deceased suspected the hand of the petitioner in the occurrence.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. FIR is against unknown and the father of the deceased has raised suspicion during course of investigation but there is no substantive evidence to suggest the implication of this petitioner in the present case. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order dated 23.1.2020, passed in Cr.Misc.No. 1455 of 2020. Petitioner is in custody since 7.6.2019.



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

Considering the rival submissions of the parties and the 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, East Champaran at Motihari in Harsidhi Police Station Case No. 77/2019 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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