

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29091 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- RAJAPAKAR District- Vaishali

1. RANJEET BHAGAT S/o- Ramanand Bhagat Resident of Village- Ahiai, P.S.- Rajapakar, District- Vaishali.
2. Kiran Devi W/o- Ranjeet Bhagat Resident of Village- Ahiai, P.S.- Rajapakar, District- Vaishali.
3. Chandan Chaudhary S/o- Shnkar Chaudhary Resident of Village- Chaksikandar, P.S.- Bidupur, District- Vaishali.
4. Balveer S/o- Ramsarekh Malakar Resident of Village- Chakmasud, P.S.- Bidupur, District- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Sinha, Advocate
For the Opposite Party/s	:	Mr.Ajay Kumar II, APP
For the Informant	:	Ms. Jyoti Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 10-02-2021 Heard learned Counsel for the petitioners and the learned Counsel for the State as also the learned Counsel appearing on behalf of the informant.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in Rajapakar PS Case No. 56 of 2020 registered under Sections 302, 201 and 34 of the IPC.

While the informant was away it is alleged that the younger son has gone missing. On enquiry subsequently dead body of the son has been recovered.

Learned Counsel for the petitioners submits that petitioner Nos. 1 and 2 are gotias and petitioner Nos. 3 and 4 are relatives of



petitioner Nos. 1 and 2. Nearly one month after the incident they have been implicated in this case by the informant during course of investigation. The implication is based on long subsisting family dispute. The implication is false as the petitioners and the prosecution party have all along been residing in the same house and such allegations are highly improbable in these circumstances. Having no criminal antecedent the petitioners are in custody since 1.5.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Vaishali at Hajipur in Rajapakar PS Case No. 56 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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