

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40017 of 2021

Arising Out of PS. Case No.-107 Year-2020 Thana- PANAPUR District- Saran

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Lala Rai @ Lalu Rai @ Umesh Rai S/O Ramnath Rai R/O Village-Satjora
Tola Pachattar, P.S.-Panapur, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 07-10-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Panapur P.S. Case No. 107 of 2020, registered for the offence under Sections 364, 302, 120(B), 201/34 of the Indian Penal Code.

As per the prosecution case, on 17.07.2020 at about 4:30 PM, this petitioner alongwith two other co-accused came at the house of informant and took her husband on motorcycle, but the husband of informant did not return. Thereafter, during search, on 19.07.2020 at around 3:00 PM, the dead-body of husband of the informant was found floating in the water.

It is submitted on behalf of petitioner that it is a case of circumstantial evidence, since petitioner and other co-accused were last seen with the deceased. Informant is not the eye-witness of the occurrence and petitioner has been made accused in this case only on suspicion. Petitioner has got clean



antecedent and he is in custody since 29.08.2020. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.C.J.M. 1st, Saran at Chapra in connection with Panapur P.S. Case No. 107 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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