

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32338 of 2020

Arising Out of PS. Case No.-214 Year-2020 Thana- SONEPUR District- Saran

1. Raju Rai, Male, aged about 39 years, Son of Pukar Rai, Resident of Village- Sabalpur New Tola, P.S.- Sonpur, District- Saran.
2. Santosh Rai @ Santosh Kumar, Male, aged about 32 years, Son of Ramdharan Rai, Resident of Village- Sabalpur New Tola, P.S.- Sonpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s : Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 15-01-2021 Heard Mr. Yogesh Chandra Verma, the learned Senior Counsel for the petitioners, Raju Rai and Santosh Rai @ Santosh Kumar and Mr. B.N. Pandey, the learned Additional P.P.

The petitioners seek bail in Sonpur P.S. Case No.214 of 2020, registered under Sections 302, 201 and 34 of the Indian Penal Code.

The informant, brother of the deceased, alleged that at about 4.00 in the evening, Raushan Kumar took his brother from his house. The informant saw that Raju Rai, petitioner no.1, Umesh Rai and Santosh Rai, petitioner no.2 were also following them. They disclosed that the brother of the informant should be allowed to go to celebrate Holi festival. At about 7.00 in the



evening, the informant came to know that the dead body of his brother was lying near the field of Manoj Rai.

Learned counsel for the petitioners submits that the petitioners did not call the brother of the informant. It was Raushan Kumar who called the brother of the informant. The informant simply said that the petitioners were also following them but nobody has seen the petitioners moving along with the deceased nor anybody saw the petitioners going towards the field from where the dead body of the deceased was recovered. It is not even a case of last seen. It was Raushan Kumar who called the brother of the informant. It is further submitted that during the course of investigation, it has come that the deceased had illicit relation with his sister-in-law and his brother assaulted him, on account of such, he committed suicide.

The learned Additional P.P. submits that it has come during the course of investigation that the deceased committed suicide by hanging himself in a Banyan tree and he got his left foot injured while he was taken to hospital.

Taking into consideration the facts and nature of allegations made against the petitioners and the fact that nobody has seen the petitioners going towards the field along with the deceased where the dead body of the deceased was found and



only allegation against the petitioners is that the petitioners also followed the deceased and Raushan Kumar while Raushan Kumar was taking the brother of the informant for celebrating Holi, petitioners, namely, Raju Rai and Santosh Rai @ Santosh Kumar are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra in connection with Sonpur P.S. Case No.214 of 2020.

(Prabhat Kumar Jha, J)

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