

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39252 of 2020

Arising Out of PS. Case No.-134 Year-2020 Thana- HILSA District- Nalanda

Rajiv Kumar, Son Of Raj Kishor Prasad, Resident Of Village- Mirzapur, P.S
Parwalpur, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Hilsa
P.S. Case No.134 of 2020, corresponding to G.R. No.618/2020,
for the offence punishable under Sections 302, 201/34 of the
Indian Penal Code.

The allegation is that after receiving a call on his
mobile phone, the informant's brother had taken some money
and went outside the house. He has thereafter been seen leaving
the place along with 4-5 persons on motorcycles. The dead body
of the informant's brother has been found on the next day in a
pool of blood.

Counsel for the petitioner submits that the instant
petitioner has been unnecessarily implicated in this case on the



basis of confessional statement. Further submission is that the petitioner has no criminal antecedents and on his surrender in the court below on 17.03.2020, he continues to be in custody.

Learned APP for the State has opposed the prayer for bail. It is submitted that in course of investigation, police have examined the call detail reports and found that there was conversation between the deceased's wife and the petitioner and together they have committed the murder of the victim.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the court of learned Additional Chief Judicial Magistrate-I, Hilsa (Nalanda), in connection with Hilsa P.S. Case No.134 of 2020, corresponding to G.R. No.618/2020, 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.

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

(Madhuresh Prasad, J)

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