

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38804 of 2020

Arising Out of PS. Case No.-211 Year-2020 Thana- PARSABAZAR District- Patna

BABLU RAVIDAS Son of Gorakh Ravidas Resident of Village- Dhibra, P.S.-
Paras Bazaar, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ansul, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 14-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Parsa Bazar P.S. Case No. 211/2020 registered for the offences punishable under Section 302, 201, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the burnt body of the deceased was found in the house of Mamta Devi, however this petitioner has been made accused in this case on the basis of mere suspicion that he was also involved with Mamta Devi in killing of the brother of the informant.

Learned counsel further submits that in course of investigation it has come that the deceased and Mamta Devi were allegedly having a relation but the deceased used to approach her daughter also with bad intention for fulfillment



illicit needs in drunken condition. It has also come in the confessional statement of Mamta Devi that she along with her daughter and this petitioner had killed the brother of the informant.

Learned counsel submits that save and except the confessional statement and mere suspicion against the petitioner, there is no other material to connect him in the present case. There is no eye witness to the alleged occurrence and in the nature of the circumstances where the burnt body has been found from the house of the co-accused Mamta Devi and not from the house of this petitioner, it is nothing but a case of mere suspicion. The petitioner has otherwise no criminal antecedent and has remained in jail in connection with this case since 31.05.2020.

On the other hand, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. Learned A.P.P. submits that the name of the petitioner has transpired in the F.I.R. as one who has participated in killing of the brother of the informant.

Considering the facts and circumstances of the case wherein the name of the petitioner has been brought in this case on suspicion in the F.I.R. along with eight named accused



persons but the dead body in burnt condition has been found in the house of the co-accused Mamta Devi and not from the house of this petitioner, the petitioner has otherwise no criminal antecedent and has remained in custody for over one year, investigation against him is complete but the trial is not likely to take place in near future, this Court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Parsa Bazar P.S. Case No. 211/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.



And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

