

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39070 of 2020

Arising Out of PS. Case No.-34 Year-2019 Thana- LALGANJ District- Vaishali

BHOLA RAI S/o Late Vishwanath Rai R/o village- Lakhansarai Noor, P.S.-
Lalganj, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 08-03-2021 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 Lalganj P.S. Case No. 34 of 2019 registered for the offence under Section 304 of the Indian Penal Code.

Learned counsel for the petitioner submits that in response to the order dated 09.02.2021 he has filed counter affidavit stating therein that the plot no. 170, Khata No. 5 has never been purchased by the petitioner from the successor of Late Keshav Rai and nor aforesaid plot is recorded in the Government record (Register – 2) in the name of the petitioner.

Learned counsel for the petitioner submits that the petitioner is in custody since 27.07.2020, investigation against him is complete and at this stage if released on bail petitioner is ready to abide by such terms and conditions which will be



imposed by this Court.

Learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but after going through the case diary inform this Court that in course of investigation no material has been mentioned stating that the land belonged to the petitioner.

Considering the kind of materials placed before this Court, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – IX, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 34 of 2019, 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'.

