

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4159 of 2021**

Arising Out of PS. Case No.-280 Year-2019 Thana- MUFFASIL District- Aurangabad

1. Raj Kumar Ram Son of Tapeswar Ram Resident of Village - Amba Dhamni, P.S. - Mali, District - Aurangabad
2. Ajay Ram Son of Ram Bachhan Ram Resident of Mohalla Danibigha, P.S. - Aurangabad Town, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar Singh
For the Opposite Party/s	:	Mr. Addl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 16-03-2021 Heard learned counsel for the parties.

The petitioners seek bail in Aurangabad Mufasil P.S.
Case No. 280 of 2019, registered for the offence under Sections
302, 201/34 of the Indian Penal Code.

As per the prosecution case, on 05.12.2019, son of the
informant had gone to his sister's village Rajpur and on the next
morning, the informant received an informant that dead-body of
her son has been thrown in village – Pawai.

It is submitted on behalf of petitioners that petitioner
no. 1 is own brother and petitioner no. 2 is brother-in-law of the
deceased. It is further submitted that petitioners are not named
in the FIR. Name of petitioners has come on the basis of
suspicion and their self-confessional statement. There is no eye-



witness to the occurrence. No material has come against petitioners to show their complicity in the aforesaid occurrence. Petitioners have no criminal antecedent and they are in custody since 03.07.2020. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances, the bail application of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Mufasil P.S. Case No. 280 of 2019, on the following conditions:

“(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the court below.

(2) If the petitioners tamper 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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