

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40518 of 2020

Arising Out of PS. Case No.-170 Year-2020 Thana- SAKRA District- Muzaffarpur

Santosh@Gunjesh Rai aged about 35 years Son Of Late Ram Bilash Rai
Resident Of Village- Chandpur Chiknauta, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate

For the Opposite Party : Mr. Ganesh Pd.Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered for the offence punishable under sections 302/201 of the Indian Penal Code.

As per the prosecution case, on 6.5.2020 at 11 pm daughter of the informant Rubi Kumari aged about 20 years went to sleep with other family members and next morning at 5.15 am she was found missing and soon thereafter her dead body was found thrown at Maize field. Informant suspected the hand of the petitioner in the occurrence as earlier also petitioner used to entice away her in the night.

Learned counsel for the petitioner submits that save and except suspicion, no other incriminating material has come against the petitioner during course of investigation to indicate



petitioner's complicity in the crime. There is no eye witness to the occurrence. Charge sheet has already been submitted. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 9.5.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IV, Muzaffarpur in Sakral Police Station Case No. 170 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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