

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1820 of 2021

Arising Out of PS. Case No.-207 Year-2019 Thana- MAJHAULIA District- West Champaran

Rajan Kumar @ Rajan Dhangar Aged About 25 Years Son Of Basudeo Mahto
@ Basudeo Dhangar, Resident Of Lal Saraiya, Dhangar Toli P S Manjaulia
District West Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr SM Rahman, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per the prosecution case, petitioner and his father came to the house of the informant and took her husband with them to watch dance programme and next day he was found lying in an injured condition in a bush. He died on way to the PMCH, Patna.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on suspicion. He further submits that save and except the fact that he was last seen with the victim, no other material has



been collected during course of investigation against the petitioner. Informant is not the eye witness of the occurrence. Charge sheet has already been submitted. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide Annexure 3. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 8.4.2020.

Considering the facts and circumstances of the case and the fact that no specific allegation has been attributed against the petitioner, similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court and petitioner has been roped in this case on suspicion, 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 Chief Judicial Magistrate, Bettiah, West Champaran in Manjhaulia Police Station Case No. 207 of 2019, 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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