

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1761 of 2021

Arising Out of PS. Case No.-319 Year-2019 Thana- PARBATTa District- Khagaria

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ARVIND KUMAR SON OF RAMRUP RAY RESIDENT OF VILLAGE
JAPTELI , P.S-PARBATTA, DISTRICT-KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2021 Heard both parties.

The petitioner seeks bail in Parbatta (Bharatkhand)

P.S. Case No. 319 of 2019, registered for the offence punishable
under Sections 302, 201 and 34 of the Indian Penal Code.

As per the prosecution case, on 16.08.2019 during
field trip when the informant reached at Dyodhi village of
Bharatkhand at 5.30 in the morning, near the house of Puran
Mandal there was mob and he enquired from the people and
came to know that dead body of daughter of Puran Mandal
namely, Budhani Devi was lying on the bank of river Ganga. He
reached riverside and saw dead body of Budhani Devi and her
neck was cut on the front side. He informed the matter to the
police station and went at the house of Budhni Devi and saw
that her Bhabhi Puja Devi was washing the sickle and blood



stains of the ground. It is further alleged that another Gotani namely, Laxmi Devi told her that Aditya Kumar (brother of Puja Devi), maternal uncle Arvind Kumar (petitioner) and 2-3 unknown persons killed the deceased and threw her body by the riverside because Aditya Kumar wants to marry the deceased.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case merely on suspicion. There is no eye-witness of the occurrence. Save and except suspicion there is no material against the petitioner which shows his involvement in the aforesaid crime. Co-accused Puja Devi has been granted bail by a coordinate Bench of this court vide order dated 19.12.2019 passed in Cr. Misc. No. 84623 of 2019. Petitioner is in custody since 31.05.2020 and bears clean antecedent. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Additional Chief Judicial Magistrate Ist, Khagaria in connection with Parbatta (Bharatkhand) P.S. Case No. 319 of 2019, subject to following conditions:-



(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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