

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6365 of 2021

Arising Out of PS. Case No.-40 Year-2020 Thana- ISLAMPUR District- Nalanda

Bajrangi Kewat Son of Khiri Kewat @ Khira Kewat Resident of Village -
Balmat Bigha, P.S.- Islampur, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-04-2021 Heard learned counsel for the parties through virtual mode.

The petitioner seeks bail in Islampur P.S. Case No. 40 of 2020, registered for the offence under Sections 364, 302/34 of the Indian Penal Code.

As per the prosecution case, mother of the informant had gone to provide food to the father of the informant at Dalan and thereafter, she became traceless. The whole night, the informant and his family members tried to search her, but she could not be traced out. In the next morning at about 6 AM, the dead-body of the mother of the informant was found lying in the field of one Sikrati Kewat. It is further alleged that few dates prior to the occurrence, some dispute arose between the family of informant and one Chandan Kumar over irrigating the field



and hence, the informant raised suspicion that this petitioner alongwith other four accused persons, named in the FIR, have committed the murder of his mother by strangulation.

It is submitted on behalf of petitioner that petitioner has been made accused in this case only on suspicion and due to the fact that he is agnate of co-accused Chandan Kumar. There is no eye-witness to the occurrence and no specific allegation has been made against this petitioner. Petitioner and informant are co-relatives. Petitioner claims clean antecedent and he is in custody since 11.02.2020.

Considering the aforesaid facts & circumstances and the fact that save & except suspicion, there is no other material to connect the petitioner with the aforesaid occurrence, the bail application of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa (Nalanda) in connection with Islampur P.S. Case No. 40 of 2020, on the following conditions:

“(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his



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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