

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25943 of 2021

Arising Out of PS. Case No.-169 Year-2019 Thana- CHAND District- Kaimur (Bhabua)

1. BHAILAL RAM @ BHAI RAM S/O MUNAR RAM R/O VILLAGE KOIDI, P.S. CHAINPUR, DISTRICT-KAIMUR AT BHABUA
2. RAJENDRA RAM S/O RAM BACHAN RAM R/O VILLAGE-SARAIYA, P.S-BHAGWANPUR, DISTRICT-KAIMUR AT BHABUA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State, through Video Conferencing.

Petitioner seeks bail in connection with Chand P.S. Case No. 169 of 2019, Gr. No. 1996 of 2019, registered for the offences punishable under Sections 302, 201, 34 35 of the Indian Penal Code.

According to prosecution case, in brief, is that on 08.09.2019 at about 8.30, the informant found a dead body of one unknown lady and a bag lying inside her dead body.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. Petitioner is not named in the FIR and the name of the petitioner has been transpired on the basis of the confessional statement of the co-accused, namely, Sanjay Ram. He further submits that the co-accused, namely, Sanjay Ram and Bhagwan Ram have been granted bail by the coordinate Bench of this Court vide order dated 27.11.2019 passed in Cr. Misc. No.74169 of 2019. Learned counsel for the petitioner further submits that the case is better footing than the co-accused, namely, Sanjay Ram and Bhagwan Ram and the petitioner is in custody since 12.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, 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 the learned Addl. Chief Judicial Magistrate-IV, Kaimur at Bhabua, in connection with Chand P.S. Case No. 169 of 2019, Gr. No. 1996 of 2019, subject to the following conditions:-

1. Petitioners 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 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

sanjeev/-

U		T	
---	--	---	--

(Rajesh Kumar Verma, J)

