

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17781 of 2022

Arising Out of PS. Case No.-70 Year-2012 Thana- PAROO District- Muzaffarpur

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Ram Babu Rai S/O Late Hokdar Rai @ Tokdar Rai Resident of Village-
Chochahi, P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code

According to prosecution case in brief is that the
informant namely, Pramila Devi gave a written application
before the Police Station on 03.05.2012 alleging therein that on
02.05.2012 that he was informed on his mobile phone that her
daughter Vibha Devi was serious. On that information she along
with her husband Nunu Rai, co-villager Fuldev Rai and Sanjeev
Kumar went at the matrimonial house of her daughter Vibha



Devi and saw the dead body of her daughter Vibha Devi. It has further been stated that she was informed by mother-in-law of her deceased daughter, namely Mangari Devi that her co-villager namely Lal Babu Rai, Dilip Kumar, Chalittar Rai, Anandi Rai suddenly entered in her house and throttled her due to which she died. It is further alleged that prior to fortnight, they also assaulted the deceased and she was informed by neighbours that Ram Babu Ray was also involved in aforesaid occurrence.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that in fact the petitioner is Pattidar of the informant and there is admitted land dispute between the petitioner and the informant so that petitioner has falsely implicated in the present case. He further submits that during investigation no cogent material has come against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 21.09.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.



Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Paroo P.S. Case No. 70 of 2012, G.R. no. 790 of 2012, subject to 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 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail



bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

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Vanisha

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