

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18410 of 2022

Arising Out of PS. Case No.-73 Year-2020 Thana- BEUR District- Patna

1. Rajesh Kumar @ Payarelal S/O Ram Surat Singh @ Ram Suresh Singh R/o village- Alipur, P.O.- Bharatpura, P.S.- Dulhain Bazar, District- Patna
2. Kanhaiya Prasad @ Kanhaiya Kumar S/o Bohal Ram Resident of Ghandi Nagar, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Angesh Kumar Ray, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 30-11-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Beur P.S.
Case No. 73 of 2020 registered for the offence under Sections
302, 201, 120B/34 of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and
are in custody since 28.12.2021.

The allegation against the petitioners is to commit
murder of the son of the informant along with other co-accused
persons, while working together in a poultry farm.



Learned counsel appearing on behalf of the petitioners submitted that the name of petitioner surfaced in present case merely on the basis of suspicion as they were working together with deceased in a poultry farm as labours. It is further submitted that nothing surfaced during the course of investigation, which may connect these petitioners, *prima facie*, with present allegations/occurrence in furtherance of suspicion, as raised through F.I.R. It is also submitted that admittedly petitioners were working together with deceased and as such having their mobile within range of the same tower is very obvious and on this ground petitioners cannot be implicated in present case. While concluding the argument, it has been submitted that both petitioners are men of clean antecedent and moreover, investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except suspicion nothing surfaced to connect these petitioners, *prima facie*, with the occurrence coupled with the fact that charge-sheet has been submitted, let both the petitioners, above named, are directed to be released on bail in



connection with Beur P.S. Case No. 73 of 2020 on furnishing
bail bond of Rs.10,000/- (Rupees Ten Thousand) with two
sureties of the like amount each to the satisfaction of learned
Additional Chief Judicial Magistrate, III, Patna/concerned
Court, subject to the conditions as mentioned under Section
437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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