

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25107 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- KONCH District- Gaya

1. Ranjit Kumar, Son Of Pun Yadav
2. Pinki Devi, Wife Of Ranjit Yadav
Both R/O Village- Lakshman Bigh, P.S.- Konch, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Rathour, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

- 3 30-09-2022 Heard learned counsel for the petitioners and the learned APP for the State through virtual mode in view of COVID-19.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioners are in judicial custody in connection with Konch P.S. Case No.57 of 2021 instituted under Sections 341, 323, 302, 34 of the Indian Penal Code.

As per the FIR, the informant alleged that he was informed by his cousin brother that Ranjan Kumar has been beaten by both the petitioners and when he reached the spot found him dead. Accordingly, the police was informed and the dead body was recovered.

In this matter, case diary was called for on 04.08.2022



and the same has been received.

A perusal of case diary, it reveals that some of the witnesses have stated that the deceased was mentally ill and had probably taken poison. Although he was carried to his residence and later on tempo but he died. The petitioners are brother and sister-in-law (Bhabhi) and the allegation is that they remained oblivious to the condition of the deceased which led to mental trauma and ultimate step taken by him.

Taking into account the aforesaid facts as also that they are in custody since 10.01.2022, charge-sheet stands submitted and they do not have criminal antecedent, this Court is inclined to grant them privilege of bail.

Let both the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Konch P.S. Case No.57 of 2021 to the satisfaction of learned Judicial Magistrate, Ist Class, Gaya, subject to following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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