

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33864 of 2021

Arising Out of PS. Case No.-145 Year-2020 Thana- PUNAURA District- Sitamarhi

BHIKHARI RAI Son of Manchit Rai Resident of Village - Ranjitpur Koari,
Ward no.3, P.S.- Punaura, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaidehi Raman Prasad Singh

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-01-2022 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned APP Sri Ganesh Pd. Singh for the State.

Petitioner seeks bail in connection with Punaura P.S. Case no. 145 of 2020 registered for the offence punishable under sections 302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is in custody since 1.2.2021, is person with clean antecedent and charge sheet has been submitted. Learned counsel further submits that the informant in the FIR alleges that on 19.10.2020 his cousin Bablu Kumar (deceased) was forcibly



taken by some persons and subsequently, he was murdered, further that occurrence took place on account of land dispute and based on suspicion, it is alleged that the petitioner along with named accused persons and 4/5 unknown committed the occurrence. Learned counsel submits that the petitioner is neighbour of the deceased and between them land dispute was going on and as such petitioner came to be implicated in the present case based on suspicion by the informant, learned counsel further submits that there are no eye-witness to the occurrence.

Learned APP opposes the prayer for bail and submits that though it is true that the petitioner and the deceased were neighbour but then there was land dispute going on between them on account of which petitioner committed the occurrence with the help of accused persons named in the FIR along with some unknown miscreants.

Learned counsel for the petitioner submits that when there was a land dispute and the petitioner is neighbour of the deceased, he would never have indulged in an act to get himself implicated when he is person with clean antecedent.

Considering the facts that petitioner is in jail custody, is person with clean antecedent, charge sheet has been submitted



and there are no eye-witness to the occurrence and name of the petitioner has come based on suspicion on account of land dispute, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Punaura P.S. Case no. 145 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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