

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27012 of 2022

Arising Out of PS. Case No.-266 Year-2021 Thana- RAJAPAKAR District- Vaishali

Abhijeet Kumar, Son of Awadh Kishor Singh @ Tunnu Singh Resident of
Village - Baikunthpur, P.S.- Rajapakar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-07-2022 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with
Rajapakar P.S. Case No.266/2021 under sections 302, 328,
120(B), 34 of the Indian Penal Code.

As per prosecution story, the allegation against the
accused persons including the petitioner herein that they were
part and parcel of the DC Agency Medical Pharma Company at
Patna where the informant's father was serving as a guard.
When he returned back from Patna to his native place, his
condition deteriorated and later he was shifted to the Primary
Health Centre, Rajapakar and thereafter Sadar Hospital, Hajipur
where he died.

The informant alleged that before his death, his father
had narrated that the accused persons including the petitioner
herein had administered wine in the name of tonic allegedly



made with the homeopath medicine which resulted into deterioration of his health.

Learned counsel for the petitioner submits he was a servant in the house of Rajesh Kumar Mishra and has been implicated in the case as one of the associate. He submits that he has no role to play in the alleged manufacturing of the homeopathic medicine consummation of which led to the death of Ranjeet Singh. He lastly submits that he is in jail since 13.12.2021 (as stated in para-13 of the bail application). He however admits that he has criminal antecedent.

Taking into account the aforesaid fact that charge-sheet stands submitted and he is in custody since 13.12.2021, this Court is inclined to grant him the privilege of bail with certain riders in view of the fact that he has criminal antecedents.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Ms. Vandana J.M. 1st Class, Vaishali at Hajipur, in connection with Rajapakar P.S. Case No.266/2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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