

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60689 of 2021

Arising Out of PS. Case No.-219 Year-2018 Thana- KATRA District- Muzaffarpur

RAJESH DAS @ RAJESH CHOUPAL SON OF RAJA RAM DAS R/O
VILLAGE- RAJGHAT, P.S.- KATRA, DISTRICT- MUZAFFARPUR
(BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Katra P.S. Case No. 219 of 2018, registered for the offence
punishable under Sections 302/120-B/34 of the I.P.C.

The prosecution case, as per the First Information
Report, is that the son of the informant left his house in a
Maruti-800 Car in drunken state and met with an accident at two
places but thereafter, *the chowkidar*, Ram Ekbal Rai, and one
passersby left his son near the shop of one Md. Shibli, but in
the morning, the said Choukidar, Ram Ekbal Rai, and one Navin
Thakur gave information regarding murder of informant's son
whose body was having bullet and knife injuries upon head and



neck.

Learned Counsel for the petitioner submits that the petitioner has been implicated in this case on the basis of political rivalry inasmuch as mother of the petitioner had participated in the Panchayat Election and petitioner was an active member to support her mother, Somari Devi. He further submits that similarly situated co-accused, Gaurav Kumar (Criminal Misc. No. 45639 of 2019), Ritesh Sah (Criminal Misc. No. 8703 of 2021), Md. Ali Hasan @ Md. Shiblish (Criminal Misc. No. 74092 of 2019) have been granted bail by Co-ordinate Benches of this Court and co-accused persons, namely, Rakesh Kumar @ Rakesh Ranjan (Criminal Misc. No. 36445 of 2021) and Sanjay Rai (Criminal Misc. No. 48660 of 2021) have also been granted bail by this Court. He next submits that petitioner is in custody since 25.12.2020, and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 25.12.2020, charge-sheet has already been submitted, similarly situated co-



accused persons have been granted bail by this court and the trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Katra P.S. Case No. 219 of 2018, subject to the conditions that (1) the 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 his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the court below, and (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.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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