

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.61881 of 2021**

Arising Out of PS. Case No.-236 Year-2021 Thana- RAMNAGAR District- West Champaran

---

1. LAXMAN RAI S/o Late Narayan Rai Resident of Village - Hardiya, P.S. - Ramnagar, District - West Champaran.
2. Bhim Rai S/o Luxman Rai Resident of Village - Hardiya, P.S. - Ramnagar, District - West Champaran.
3. Nakul Rai S/o Laxman Rai Resident of Village - Hardiya, P.S. - Ramnagar, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr.Gauri Shankar Thakur, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

---

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

3      09-05-2022                      Heard learned counsel for the petitioners and the  
learned A.P.P. for the State.

The petitioners seek bail in a case registered for  
the offence under Sections 302, 328 and 34 of the Indian  
Penal Code.

Three persons are said to have been died due to  
excess consumption of alcohol. But the informant, who is a  
chowkidar suspects that they have been killed by consuming  
poisonous substance.

Learned counsel appearing for the petitioners  
submits that the petitioners, who are of clean antecedent,



are innocent and have falsely been implicated in this case merely on the basis of suspicion. In fact, the alleged occurrence took place on 9,10 and 12/07/2021 whereas the complaint has been filed on 16.07.2021 by the chowkidar on the basis of suspicion only. He further submits that none of the family members of the deceased come forward to institute F.I.R. and the police after investigation has submitted charge-sheet in this case against the petitioners. The petitioners are rotting in judicial custody since 18.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ramnagar P.S. Case No. 236 of 2021 with the following conditions:-

(1) Petitioners 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

brajesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

