

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70498 of 2021

Arising Out of PS. Case No.-89 Year-2020 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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RAMJANAM BIND Son of Late Bishwanath Bind R/o village - Tarawn, P.S.-
Belaon, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vikramdeo Singh Mr. Pawan Kumar Singh Mr. Tribhuwan Narayan
For the State	:	Mr. Rajendra Singh
For the informant	:	Mr. Praveen Kumar Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 10-05-2022 Heard learned Counsel for the petitioner, learned

Counsel for the informant and learned Additional Public

Prosecutor for the State.

The petitioner seeks regular bail in connection with
Bhagwanpur (Belaon) Police Station Case No. 89 of 2020,
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the father and brother of the informant left their
house for agricultural field where they use to sleep daily and in
the morning, their dead bodies were found in the field.

Learned Counsel for the petitioner submits that the



petitioner has been implicated in this case along with other co-accused persons on the basis of suspicion due to land dispute, love relationship between the daughter of co-accused with the son of the deceased and due to the fact that the family member of the informant was earlier kidnapped by the accused persons. He next submits that the police, after completion of investigation, submitted charge sheet against six co-accused persons, but submitted final report against this petitioner, however, the learned Magistrate has taken cognizance under Section 302 of the Indian Penal Code differing with the police report. He further submits that the petitioner is in custody since 05.10.2021 and will co-operate in the trial.

On the other hand, learned Counsel for the informant and learned Additional Public Prosecutor, submit that during the course of investigation, the witnesses have stated against the petitioner showing his involvement in the present offence and the learned Magistrate, on the basis of material available on record, has rightly took cognizance of the offence. They further submit that two of the co-accused persons have been convicted by the learned Trial Court.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials



on record and the fact that the petitioner is aged about 70 years, the police, after completion of investigation, has submitted final form against this petitioner, he undertakes to co-operate in the trial and the petitioner is in custody since 05.10.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Chief Judicial Magistrate, Kaimur, at Bhabhua, in connection with Bhagwanpur (Belaon) Police Station Case No. 89 of 2020.

This is subject to the condition that the petitioner shall co-operate with the trial and shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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