

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70863 of 2021**

Arising Out of PS. Case No.-192 Year-2020 Thana- NARHATT District- Nawada

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RAJESH RAJBANSHI @ RAJESH RAJBANSI Son of Krishan Rajbanshi
Resident of Village- Sinduyari, P.S.- Narhat, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2022

Heard learned counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Narhat P.S. Case No. 192 of 2020 for the offences
registered under Sections 302, 201 and 448/34 of the Indian
Penal Code.

As per the allegation in the FIR, the informant has
alleged that his son was alone in his house whereafter the
accused persons including the petitioner herein entered into his
house and killed his son and hanged the dead body to the ceiling
fan. He has further alleged that when he was returning home, he
saw the petitioner and other named accused persons fleeing
away from his house. Later, he entered inside the house and saw



his son hanging in the ceiling fan.

Learned counsel for the petitioner submits that police investigated the matter and had submitted charge sheet under Section 306/34 of the Indian Penal Code. He also submits that one of the accused namely, Dinesh Rajvanshi has since been granted bail by a co-ordinate Bench of this Court vide order dated 24.08.2021 passed in Cr. Misc. No. 11794 of 2021.

Let the same be kept on record.

Taking into account the submission made by the learned counsel for the petitioner that the charge sheet stands submitted under Section 306/34 of the Indian Penal Code, he is in jail since 26.09.2021 (as stated in paragraph-15 of the bail application) as also the fact that one of the co-accused has since been granted bail, this Court is inclined to grant the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada in connection with Narhat P.S. Case No. 192 of 2020, 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 his cancellation of bail by the Trial Court itself;

(iii) he 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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