

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.71213 of 2021**

Arising Out of PS. Case No.-334 Year-2021 Thana- BRAHMPUR District- Buxar

SURENDRA RAM SON OF CHANDRADEEP RAM RESIDENT OF  
VILLAGE - RAHATHUA, P.S - BRAHMPUR, DIST - BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

3      12-05-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Let the defect(s), if any, be removed within a period  
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the  
offences punishable under Sections 302 and 201/34 of the  
Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 13.08.2021, is a person with clean  
antecedent and charge-sheet has been submitted.

The informant alleges that her husband was working  
with the petitioner in his orchestra for the last three years and  
there was a dispute relating to wages. Further, on 18.06.2021,  
the petitioner called the husband of the informant and asked him  
to work with an assurance that the entire amount would be paid



on which her husband left to go with the petitioner. Further, on 26.06.2021, during search the dead body of the husband of the informant was recovered near a railway track. Thus, she alleges that the petitioner might have killed her husband.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the entire allegation hinges around suspicion and the informant is not an eyewitness to the occurrence and there is an inordinate delay in instituting the FIR as the date of occurrence is 26.06.2021 and the FIR has been instituted on 01.07.2021 i.e. after a delay of five days that too without any plausible explanation.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner but is not in a position to meet the submissions made by the learned counsel for the petitioner that there is an inordinate delay in instituting the FIR and the informant is not an eyewitness to the occurrence.

Considering the fact that the petitioner is in custody since 13.08.2021, is a person with clean antecedent, charge-sheet has been submitted and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 244 of 2021 arising out of Brahampur P.S. Case No. 334 of 2021.

**(Satyavrat Verma, J)**

Kundan/-

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