

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64327 of 2022**

Arising Out of PS. Case No.-219 Year-2022 Thana- SANGRAMPUR District- East
Champaran

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Ranjan Giri S/o Late Raj Kumar Giri R/o Village- Virta Madhiya, P.S.-
Sangrampur, Distt- East Champaran.

Versus

... .. Petitioner/s

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with
Sangrampur P.S. Case No.219 of 2022 registered for the offence
under Section 302 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.07.2022.

The allegation against the petitioner is to commit the



murder of minor daughter of the informant aged about 3½ years, due to previous enmity arising out of neighbourhood disputes and differences.

Learned counsel appearing on behalf of the petitioner submitted that admittedly as per face of F.I.R. informant is not the eye-witness of the occurrence, where maximum allegation appearing is to destroy the evidence by throwing the dead body. It is submitted that prior to this occurrence a case was lodged by this petitioner against informant u/s 307 of the Indian Penal Code registered as Sangrampur P.S. Case No.216 of 2022 and just to create a legal pressure for compromise, the present false implications was made out of the death of the minor daughter of the informant, which appears otherwise accidental due to drowning in the nearby pool of water. It is also submitted that no external injuries were noticed upon the body of the deceased, ruling out any physical assault, soon before this occurrence. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which charge-sheet has already been submitted, as such, there is not chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes



the prayer for bail.

In view of the facts and circumstances as mentioned above as informant is not the eye witness of the occurrence, where maximum allegation is to destroy the evidence as per face of the F.I.R. coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Sangrampur P.S. Case No.219 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, District East Champaran/concerned court, subject to the following conditions:

(i) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the Trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors



shall be deponent of the present bail
petition.

(Chandra Shekhar Jha, J)

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