

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2983 of 2023

Arising Out of PS. Case No.-397 Year-2019 Thana- RANIGANJ District- Araria

1. YOGI RISHIDEO @ LAKRU RISHIDEO S/O LATE BIRBAL RISHIDEO
Resident of Village- Bairakh Hatiya Tola, P.S.- Raniganj, District- Araria.
2. LALAN RISHIDEO S/O YOGI RISHIDEO @ LAKRU RISHIDEO
Resident of Village- Bairakh Hatiya Tola, P.S.- Raniganj, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners seek bail, who are in custody since 21.09.2022, in connection with Raniganj P.S. Case No. 397/2019, F.I.R. dated 03.11.2019, registered for the offence punishable under Section 306/34 of the I.P.C.

According to prosecution case, the petitioners along with the wife of the deceased are used to torture the son of the informant physically and mentally and on the alleged date of occurrence when the informant's son came at his in-laws house on the occasion of Chhath Puja, he was tortured and harassed and lastly his son committed suicide and then the informant has



lodged the present case for abating suicide of her son.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on suspicion. He further submits that in fact the petitioner no.1 is father-in-law and the petitioner no.2 is brother-in-law of the deceased and there is no eyewitness of the alleged occurrence. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons including the petitioners and the police after investigation submitted the charge sheet against the petitioner. The petitioners are in custody since 21.09.2022.

The learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer of bail of the petitioners.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, 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 the learned S.D.J.M., Araria, in connection with Raniganj P.S. Case No. 397/2019, subject to 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 cancelled 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.

3. 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)

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