

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11608 of 2023**

Arising Out of PS. Case No.-98 Year-2022 Thana- GANGABRIDGE District- Vaishali

Ram Ratan Ray @ Ram Ratan Kumar S/O Jawahar Ray Resident of Village-
Majhauri Mohammadpur Buzurg, P.S.- Sarai, District- Vaishali (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anand Prakash, Advocate Mr. Prashant Kumar, Advocate
For the Opposite Party/s :	Mr. Sunil Kumar Pandey, APP
For the Informant :	Mrs. Rina Sinha, Advocate Mr. Dharendra Pd. Sinha, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

6 05-09-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant as well as learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.09.2022 in connection with Ganga Bridge P.S. Case No. 98
of 2022, F.I.R. dated 26.04.2022 for the offences punishable
under Sections 341, 342, 323, 307, 379, 504 and 34 of the
Indian Penal Code and later on Section 302 of the Indian Penal
Code was added.

3. According to prosecution case, this petitioner along
with other accused persons have abducted the son of the
informant and kept the informant's son at their house and when



the informant reached at the house of the accused persons, he found his son unconscious and during the course of treatment he died.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. He further submits that from perusal of the F.I.R it appears that there is no acquisition of any assault or overt act attributed against the petitioner and it has come during investigation in paragraph nos. 137 and 138 of the case diary that the petitioner was found pressing the neck of the deceased. He further submits that the allegation as alleged in paragraph nos. 137 and 138 of the case diary is not supported by the medical evidence and the postmortem report of the deceased reveals that the cause of death is by hard and blunt substance and the deceased had died after 10 days of the occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Ram Naresh Ray @ Barak Rai who is father-in-law of the petitioner has been granted bail by this Court vide order dated 19.07.2023 passed in Cr. Misc. No. 5216 of 2023. The petitioner is in custody since 07.09.2022.



5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation in paragraph nos. 137 and 138 of the case diary that the petitioner was found pressing the neck of the deceased.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Hajipur, Vaishali in connection with Ganga Bridge P.S. Case No. 98 of 2022, subject to the following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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