

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20412 of 2022

Arising Out of PS. Case No.-239 Year-2021 Thana- KALYANPUR District- Samastipur

Jagdish Das Son Of Late Ramfal Das R/O- Vill- Basudeopur, P.S.- Kalyanpur,
Distt- Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 120B and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is in custody since 26.08.2021, is a person with clean antecedent and the informant alleges that on 21.08.2021, his younger brother after having dinner had gone to the poultry farm for sleeping where his elder nephew was present from before, it is next alleged that at 11:30 pm, his nephew informed that his father has been abducted by the accused persons, including the petitioner, accordingly the informant reached the poultry farm and searched but was not able to find anything,



thereafter it is alleged that informant himself investigated and inquired and came to know that the deceased was done to death.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that it absolutely does not stand to reason that as to why the informant's nephew did not immediately inform the police or made any endeavour to find the deceased, it is further submitted that the informant is not an eye-witness to the occurrence and the entire allegation hinges around suspicion and the charge-sheet has also been submitted, further the petitioner undertakes that he will cooperate in the trial and will not abscond.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering 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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kalyanpur P.S. Case No. 239 of 2021.

Further, in the event, if the learned trial court comes



to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned trial court shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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