

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34268 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- BARH District- Patna

Neeraj Kumar Pandit Son Of Ramakant Pandit Resident Of Village- Belauni,
Police Station - Korma, District- Sheikhpura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-01-2023 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 302/34 of IPC.

The prosecution case, in brief, as contained in the written report of informant namely Shambhu Pandit is that his sister Rubi Devi was married to Vikash Pandit and blessed with three children from their wedlock. His sister Rubi Devi came in illicit relationship with one Neeraj Kumar Pandit. This relationship was objected by Vikash Kumar (husband of the deceased). Subsequently, marriage of Neeraj Kumar Pandit was



scheduled with daughter of Ram Jatan Pandit and after knowledge of the aforesaid relationship, the negotiation of marriage of Neeraj Kumar Pandit failed. Due to this reason, Neeraj Kumar Pandit, his four brothers and mother came in the house of Rubi Devi and committed murder of Rubi Devi on 23.01.2022 and tied the dead body of deceased with ceiling fan.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that there is no eye witness of the alleged occurrence and the name of the petitioner has been transpired only on the basis of the suspicion and except suspicion, no other cogent material has come during investigation against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 11.04.2022.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 learned court below where the case is pending in connection with Barh P.S.Case No.42 of 2022 with



the following conditions:-

(1) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(3) 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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