

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48507 of 2023

Arising Out of PS. Case No.-195 Year-2022 Thana- MAJORGANJ District- Sitamarhi

Suresh Raut Son Of Mishri Raut R/V Dumri Kala, Ps. Majorgang, District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-10-2023 Heard Mr. Pushpendra Kumar Singh, learned counsel
for the petitioner as well as Mr. Brajendra Nath Pandey learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Majorganj P.S. Case No.195 of 2022, F.I.R. dated 15.07.2022 registered for the offence punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

3. As per the prosecution case, all the FIR named accused persons including petitioner killed Ruchi Kumari by pressing her neck and disappeared the dead body. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and from perusal of



the FIR, it appears that the informant is not the eyewitness of the occurrence and merely on the basis of the information, the informant lodged the FIR and never disclosed where from he received the information about the present occurrence. Further submits that the petitioner has no concern either with the co-accused Jiwachh Raut or his other family members. He further submits due to village politics the petitioner has been implicated in the present case and no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence except the suspicion.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioner but fairly submits that no material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Ist, Sitamarhi in



connection with Majorganj P.S. Case No.195 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory 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 antecedents, the court below shall take step for cancellation of anticipatory 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)

Prakash Narayan

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