

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45240 of 2022

Arising Out of PS. Case No.-78 Year-2022 Thana- DERNI BAZAR District- Saran

1. Ranjit Rai @ Ranjit Kumar Son Of Shri Suresh Rai @ Surendra Prasad Rai R/O Village- Pojhi, P.S.- Derni, Distt.- Saran
2. Suresh Rai @ Surendra Prasad Rai Son Of Late Mahendra Rai R/O Village- Pojhi, P.S.- Derni, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Awadhesh Kumar, Advocate
For the Informant	:	Mr. Ashok Kumar, Advocate
For the State	:	Mr. Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-02-2023 Learned counsel for the petitioners is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners, learned counsel appearing on behalf of the informant and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioners is that they along with other co-accused persons strangled the neck of Neeraj Kumar and assaulted him on his neck with a sharp weapon and threw the dead body behind the ITI College, situated at Village-



Pojhi.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case only on the basis of suspicion. He further submits that there is no eye witness to the alleged occurrence and only on the basis of suspicion they have been falsely implicated in the present case. He further submits that save and except the allegation of love affair between the deceased and the daughter of the petitioner no. 1, no other material has come during investigation against the petitioners and the petitioner no. 1 is the son of the petitioner no. 2 and the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 11.04.2022.

Learned APP for the State as well as learned counsel appearing on behalf of the informant have opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Derni P.S. Case No. 78 of 2022, with 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 antecedents, 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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