

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52326 of 2022

Arising Out of PS. Case No.-1 Year-2020 Thana- VAISHALI District- Vaishali

SUBODH RAM S/o Hari Ram @ Harinandan Ram R/o village- Jarang
Rampur, P.S.- Vaishali (Belsar O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Adv. Mr. Rajeev Ranjan No.2, Adv.
For the Opposite Party/s	:	Mr. Anil Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 05-04-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Vaishali (Belsar O.P.) P.S. Case No. 01 of 2020 dated 01.01.2020 registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of Arms Act.

As per the prosecution, the informant alleged that this petitioner along with two other co-accused persons killed his brother by using fire-arm.



The main submissions advanced by petitioner's counsel are that as per the restatement of the informant, the informant simply raised suspicion against the petitioner to be involved in the murder of his brother and he did not claim to be the eye-witness of the alleged occurrence and during investigation, the witnesses examined by Investigating Officer merely raised suspicion against the petitioner on account of alleged illicit relationship between the deceased and the petitioner's wife but the same may be reason of false implication of the petitioner in the alleged crime and the petitioner has been languishing in jail since 21.04.2022 and the investigation has been completed against him.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the facts that during investigation no witness examined by the Investigating Officer, claimed to have seen the petitioner committing the alleged murder and they merely raised suspicion against the petitioner simply on account of previous threat given by this petitioner to the deceased on account of the alleged illicit relationship in between the deceased and the petitioner's wife and against the petitioner the investigation has



been completed, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail, **after framing of charge**, on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Vaishali (Belsar O.P.) P.S. Case No. 01 of 2020.

(Shailendra Singh, J)

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