

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54198 of 2023

Arising Out of PS. Case No.-378 Year-2020 Thana- DUMRA District- Sitamarhi

Ram Vilas Bhagat @ Ram Vils Bhagat @ Vilas Singh @ Ram Bilash Singh
S/O Ram Ramsurat Bhagat R/O Village- Ghoghan (DHODHNA), Ps. Dumra,
Dist. Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 07.04.2023, in connection with Dumra P.S. Case No. 378 of 2020, F.I.R. dated 24.11.2020 registered for the offences punishable under Sections 363, 365 of the Indian Penal Code and later on Sections 364, 302, 120B, 34 of the Indian Penal Code were added.

3. According to the prosecution case, the petitioner is alleged to have abducted the son of the informant and thereafter killed him.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case merely on the basis of suspicion. He further submits that except the suspicion, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that similarly situated co-accused person namely Ajay Mahto has been granted bail by this Court vide order dated 22.08.2023 passed in Cr. Misc. No. 52653 of 2023, another co-accused person namely Sunil Mahto @ Sunil Kumar has been granted bail by this Court vide order dated 18.04.2022 passed in Cr. Misc. No. 47303 of 2021 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 07.04.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on 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 Chief Judicial Magistrate, Sitamarhi, District-Sitamarhi in connection with Dumra P.S. Case No. 378 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 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 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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