

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55557 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- PIPRAHI District- Sheohar

1. Ratnesh Chandra Ratnakar @ Ratnesh Raj Rishabh @ Kishan son of Kaushalendra Karaunakar Village- Dhankaul Ps- Piprahi Dist- Sheohar
2. Kaushalendra Karunakar @ Pichan Jha son of Prithavi Raj Jha Village- Dhankaul Ps- Piprahi Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bijay Kumar Pathak, Advocate
For the Opposite Party/s :	Mr. Parmanand Kumar, APP
For the Informant :	Mr. Subhaveh Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioners, learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who are in custody since 07.04.2023 in connection with Piprahi P.S. Case No. 59 of 2023, F.I.R. dated 07.04.2023 for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners have killed the daughter of the informant by strangulation and tried to cremate the dead body.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. He further submits that the petitioner no. 1, namely, Ratnesh Chandra Ratnakar is brother-in-law of the deceased and petitioner no. 2, namely, Kaushalendra Karunakar is the father-in-law of the deceased. He further submits that from perusal of the F.I.R it appears that there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that the husband of the deceased, namely, Praful Chandra Prabhakar is in judicial custody. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 07.04.2023.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners and submits that there is allegation against these petitioners that they were involved in the crime in question and the postmortem report of the deceased also supports the allegation as alleged in the F.I.R.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail **after framing of charge** and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each



to the satisfaction of the learned Judicial Magistrate 1st Class, Sheohar in connection with Piprahi P.S. Case No. 59 of 2023, subject to the following conditions:-

i. 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 bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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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