

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54575 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- JANDAHA District- Vaishali

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DILIP RAY SON OF SHIV CHANDRA RAY RESIDENT OF VILLAGE-
GANNIPUR BEJHA, PS- SAKARA, DIST- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023 Heard the parties.

The petitioner is in custody in connection with Jandaha P.S. Case No. 189 of 2022 for the offence under sections 363, 365/34 of the Indian Penal Code lodged on 23.06.2022 by the informant, Asha Devi.

As per the prosecution story, the informant alleged that her son, Manish Kumar was called by accused persons and thereafter, he did not return. She has named them as Dilip Ray, father-in-law, Bhagdeo Ray, Manish Ray (son of Bhagdeo Ray) and others.

Subsequently, the dead body was recovered on 26.06.2022. and the petitioner came into judicial custody on 01.07.2022 (as stated in paragraph 13 of the petition).

Learned counsel for the petitioner submits that no one



has seen the occurrence and only because the lady was having some issue with the in-laws, the family members have been implicated. It is her further submission that no same person will take extreme steps of remunerating own son-in-law.

Learned APP opposes the prayer for bail stating that it was the petitioner who took the son of the informant, he did not return and later after three days, his body recovered.

Considering the aforesaid submissions put forward by the learned counsel for the parties, no one has come to support the suspicion raised by the informant, has remained in custody since 01.07.2022, do not have criminal antecedent, FIR lodged and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-I, Vaishali at Hajipur, in connection with Jandaha P.S. Case No. 189 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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