

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5091 of 2023

Arising Out of PS. Case No.-229 Year-2021 Thana- SONEPUR District- Saran

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RAM LAKHAN RAI @ RAM LAKHAN KUMAR S/o Krishna Gopal Rai
R/o Village- Jahangirpur Dudhaila More, P.S.- Sonapur, District- Saran at
Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishal Vikram Rana, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-03-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in judicial custody in connection
with Sonapur P.S. Case No. 229 of 2021 registered under
Sections 302/120(B) of the Indian Penal Code.

The informant is the father of the deceased who has
alleged in the FIR that on 01.05.2021 the petitioner was strolling
in the field and after some time, he heard 'hulla' that he has
been shot at and killed by the accused persons. The informant
and his family members rushed to the field and saw his son's
body lying in the field. He was taken to the nearby Referral
Hospital at Sonapur where the Doctor declared him dead. He
has attributed the previous animosity with the petitioner to be



the cause of the killing of his son.

On 25.01.2023 report was called for from the concerned Court which has since been received and according to the report vide letter no. 30 dated 07.02.2023, the case is pending at the stage of prosecution itself and summons and bailable warrant have been issued against the witnesses but till date, no one has turned up.

Taking into account the aforesaid facts that he is in custody since 04.05.2021 (as stated in paragraph-17 of the petition), this Court is inclined to grant him privilege of bail with strict conditions :-

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge, Saran at Chhapra in connection with Sonapur P.S. Case No. 229 of 2021 (Sessions Trial No. 286 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark 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 his 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 the bail bonds.

(vi) the petitioner shall cooperate in the investigation and make himself available to the police as and when required.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Kiran-

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