

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67701 of 2022**

Arising Out of PS. Case No.-40 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

RANJEET KUMAR @ TANTRIK @ SADHUJI S/o Vijay Yadav R/v-
Dhudhwa, P.S.- Ara Mufassil, Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar, Adv.
For the Opposite Party/s	:	Mr. Manoj Kumar, APP
For the Informant	:	Mr. Diwakar, Adv.
		Mr. Shivam Kumar, Adv.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 25-04-2023 Heard Mr. Sanjay Singh, learned senior counsel for the petitioner, Mr. Diwakar, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 09.02.2022, in connection with S. Tr. No.162 of 2022, arising out of Ara (Muffasil) P.S. Case No.40 of 2022, F.I.R. dated 06.02.2022, for the offences punishable under Sections 302/201 of the Indian Penal Code.

According to prosecution case, the brother of the informant after taking meal went outside but he did not return. Thereafter during search, the dead body of the brother of the informant was found lying at the ridge of the field of Jhegar Yadav and Munni Yadav. The informant has suspicion that the



petitioner might have killed his brother on the basis of call details.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. He further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired on the basis of information received from the spy. He further submits that there is no eyewitness of the alleged occurrence. He further submits that in fact the petitioner is cousin brother of the deceased and no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence, except the information received from the spy and self confessional statement of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 09.02.2022.

Learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that the co-accused namely Anju Devi, who happens to



be the wife of the deceased whose bail application has been rejected by Co-ordinate Bench of this Court vide order dated 20.10.2022 passed in Cr. Misc. No. 35933 of 2022 and there is sufficient material against the petitioner to connect his involvement in the present occurrence.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VIII, Bhojpur at Ara in connection with S. Tr. No.162 of 2022, arising out of Ara (Muffasil) P.S. Case No.40 of 2022, 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 witnesses, 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 antecedent, 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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