

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74033 of 2022

Arising Out of PS. Case No.-253 Year-2022 Thana- SANGRAMPUR District- East
Champaran

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Ranjan Bhagat Son of Late Ganesh Bhagat Resident of village - Madhubani,
P.S.- Sangrampur, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Mr. Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

For the Informant : Mr. Krishna Kant Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-05-2023 Heard learned counsel for the petitioner, learned

counsel appearing on behalf of the informant as well as learned

Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
25.07.2022 in connection with Sangrampur P.S. Case No. 253 of
2022, F.I.R. dated 22.07.2022 for the offences punishable under
Sections 364/34 of the Indian Penal Code.

According to prosecution case, the informant
suspected that the petitioner along with other accused person
abducted his son and threw his body after killing him.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case. He further submits that as per the allegation alleged in the F.I.R., the victim was called by the petitioner and thereafter, the victim and the petitioner had took dinner at a *Dhaba* and then the victim disappeared. He further submits that the informant is not the eye witness of the alleged occurrence and the allegation against the petitioner is only on the basis of suspicion and no cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner on 18.09.2022. The petitioner is in custody since 25.07.2022.

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 petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, East Champaran at Motihari in connection



with Sangrampur P.S. Case No. 253 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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