

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73183 of 2022**

Arising Out of PS. Case No.-385 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Vikky Ram @ Vicky Ram @ Vikky Rai Son Of Udgar Ram @ Ram Udgar
Ram @ Udgar Rai R/O Village- Jitwarpur Nijamat, P.S.- Samastipur Muffasil,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Advocate

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

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

3 22-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
29.08.2022 in connection with Samastipur Muffasil P.S. Case
No. 385 of 2021, F.I.R. dated 20.09.2021 registered for the
offence punishable under Sections 302,201,120B and 34 of IPC.

The informant alleges that petitioner along with Sujit
Ram and Ranjeet Ram had taken the son of the informant for a
feast on 18.09.2021 in the night. On 19.09.2021 his nephew
while walking on the roof in the morning saw some persons
carrying a person through paddy field when he asked them, they
threw the dead body and fled away and were identified as
Chiran Rai, Bikram Rai, Ranjan Kumar Ram @ Rajeev Ranjan ,



Ranjeet Kumar, Prem Kumar Rai and the petitioner. Thereafter, the informant alongwith his family members went to the place of occurrence and identified the body of his son.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. Even the informant is not the eye witness of the alleged occurrence he has filed the present FIR on the basis of the information furnished by his nephew and no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the similarly situated co-accused, namely, Ranjan Kumar Ram @ Rajeev Ranjan has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 29.11.2022 passed in Cr. Misc. No.35996 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 29.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned A.C.J.M.-II, Samastipur in connection with Samastipur Muffasil P.S. Case No. 385 of 2021, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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