

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75151 of 2022

Arising Out of PS. Case No.-342 Year-2022 Thana- KATEYA District- Gopalganj

Ramayan Rajbhar Son Of Late Shankar Rajbhar @ Late Shiv Shankar Bhar
R/O Village- Nawka Tola, P.S.- Vijayipur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 25-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 12.08.2022, in connection with Kateya P.S. Case No. 342 of 2022, F.I.R. dated 27.07.2022 registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with his family members killed his daughter Renu Kumari and hidden her dead body.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis



of disclosure made by local people. He further submits that the petitioner is father of the victim and merely on the basis of suspicion the petitioner has been implicated in the present case and thereafter self confessional statement of the petitioner was recorded in which he has accepted his guilt. He further submits that during investigation except suspicion, no other material has come against the petitioner to suggest the involvement of the petitioner in the present occurrence and the postmortem reveals that the doctor has reserved his opinion regarding the cause of death and viscera sample has been sent to Forensic Laboratory for Biochemical Examination and as per letter dated 08.07.2023 from the Office of the Director, Regional Forensic Laboratory, Muzaffarpur that no sample has been received till 08.07.2023 with respect to the present case and the petitioner is in custody since 12.08.2022.

The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has accepted his guilt in the present case.

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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S.



Case No. 342 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 witness, 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 antecedents, 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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