

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8338 of 2024

Arising Out of PS. Case No.-73 Year-2023 Thana- GOPALPUR District- West Champaran

Rajan Pandit @ Rajan Padit, S/o Late Rama Pandit, R/o Village-Mohachhi
Nain, P.S.-Gopalpur, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Gopalpur P.S. Case No.
73 of 2023, instituted for the offences punishable under Sections
302, 120(B) and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, husband of
the informant was sleeping after taking dinner and around 04:00
AM when she went to awake her husband, found him dead.
Further, she found her son Rajan Pandit absent in his room and
as such she had firm belief that her daughter-in-law and father-in-
law along with her son have killed her husband.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. There is neither any eye witness to the occurrence nor the manner of occurrence has been disclosed in the F.I.R. The informant has cast suspicion against the petitioner only because he was not found present at home in the morning. The deceased was the father of the petitioner. The petitioner has no any criminal antecedent as has been stated in paragraph no. 3 of the present bail application. The petitioner is languishing in judicial custody since 03.10.2023. Charge-sheet has already been submitted in the present case. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 04.09.2023 passed in Cr. Misc. No. 58801 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Gopalpur P.S. Case
No. 73 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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