

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31165 of 2024

Arising Out of PS. Case No.-213 Year-2021 Thana- RAGHOPUR District- Vaishali

=====

Ramnath Rai son of Yogendra Ray Village- Jafrabad Tok Ps- Raghapur
Rustampur OP Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner seeks bail in connection with Raghapur
(Rustampur O.P.) P.S. Case No. 213 of 2021 dated 23.09.2021
registered for the offence punishable under Sections 302 and
120(B)/34 of the Indian Penal Code.

3. Allegedly, it is a case of murder of the husband of the
informant, whose dead body was found near Toka river.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. It is submitted that the present case has been lodged
against two named accused persons, namely, Sunil Rai and
Laxman Rai and four known accused persons. It is submitted



that the petitioner is not named in the F.I.R.. During course of investigation, only on the basis of suspicion, the petitioner has been made accused in this case. It is submitted that co-accused Sunil Kumar Rai has been granted anticipatory bail *vide* order dated 02.11.2002 passed in Criminal Miscellaneous No. 8306 of 2022 by a Co-ordinate Bench of this Court. Lastly, it has been submitted that the petitioner is in custody since 22.05.2023, having two criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-Ist Class, Hajipur, Vaishali in connection with Raghapur (Rustampur O.P.) P.S. Case No. 213 of 2021, 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

prabhat/-

U		T	
---	--	---	--

