

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38921 of 2024

Arising Out of PS. Case No.-279 Year-2023 Thana- GANGABRIDGE District- Vaishali

Randheer Kumar Son of Bindeshwar Ray R/O Vill.- Shahpur, P.S.- Ganga
Bridge, Dist.- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ganga Bridge P.S. Case No. 279 of 2023 dated 18.12.2023 registered for the offences punishable under Section 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 17.12.2023 at about 3:00 PM, the informant son was sitting with the accused persons including the petitioner at the house of the co-accused, Bindeshwar Rai. When her son did not return, she began searching but was unable to locate him. Thereafter, on 18.12.2023, the police along with local Chowkidar arrived at her



home and informed that her son was injured and had been taken to Sadar Hospital for treatment. Upon receiving the information, the informant went to hospital and found her son injured. The informant's son was subsequently referred to P.M.C.H. Patna for further treatment. It is further alleged that due to land dispute, the accused persons including the petitioner assaulted with knife on the abdomen of her son. It is further alleged that on 18.12.2023 in P.M.C.H., the informant's son was declared dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation against the petitioner is general and omnibus in nature. It is further alleged that the informant is not an eye-witness of the alleged occurrence. There is no specific allegation against the petitioner. It is further submitted that the charge-sheet has already been submitted against the petitioner. The petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 19.12.2023. As per Later No. 200 dated 16.08.2024, the court below submitted the report regarding the present status of the case that the case is pending for commitment.

5. Learned A.P.P. for the State has opposed the bail



petition of the petitioner and submitted that the deceased was last seen alive with the petitioner and the co-accused persons.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 279 of 2023, with the following conditions:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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