

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43152 of 2024

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

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1. Ranjit Ram Son of Late Ramudgar Ram, Resident of village- Jitwarpur Nijamat, P.S.- Samastipur (Muffasil), District- Samastipur.
 2. Sujeet Ram @ Sujeet Kumar Son of Late Ramudgar Ram, Resident of village- Jitwarpur Nijamat, P.S.- Samastipur (Muffasil), District- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-06-2024 Heard Mr. Bijay Bhushan Prasad, the learned
counsel for the petitioners and Mr. Anuj Kumar Shrivastava, the
learned Additional Public Prosecutor for the State.

2. Petitioners seeks regular bail who are in custody
since 21.09.2022, in connection with Samastipur Muffasil P.S.
Case No. 385 of 2021, FIR dated 20.09.2021, registered for the
offences punishable under Sections 302, 201 and 120(B) read
with Section 34 of the Indian Penal Code.

3. According to the prosecution case, the accused
persons invited the son of informant under the pretext of
participation in a feast and thereafter they stabbed in killed him
by strangulation and they were carrying his dead body in a



paddy field and the nephew of the informant saw them and raised alarm. It is further alleged that the when the informant rushed to the place of occurrence he identified the dead as his son.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR, in fact, the informant is not the eyewitness of the alleged occurrence and he has given information on the basis of the information furnished from his nephew and except suspicion no other cogent material has come during investigation which suggests the involvement of the petitioners in the present occurrence. He further submits that the co-accused person namely, Ranjan Kumar Ram @ Rajeev Ranjan has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 29.11.2022 passed in Cr. Misc. No. 35996 of 2022 and another co-accused person namely, Vikky Ram @ Vicky Ram @ Vikky Rai has been granted bail by this Court vide order dated 22.06.2023 passed in Cr. Misc. No. 73183 of 2022. He lastly submits that the police after investigation has submitted the charge sheet against the



petitioners and the petitioners are in judicial custody since 21.09.2022.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV, Samastipur, in connection with Samastipur Muffasil P.S. Case No. 385 of 2021, subject to the following conditions:

(i). Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial



Court shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioners. 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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