

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56118 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

1. Rina Singh @ Rina Devi Wife Of Mr. Sunil Kumar Singh Village- Rani Sariswa @ Sudodih, Ps- Mirganj, Dist- Gopalganj
2. Anil Kumar Singh Son Of Late Paras Singh @ Parash Prasad Singh Village- Rani Sariswa @ Sudodih, Ps- Mirganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Mrs. Vaishnavi Singh, Advocate
For the State	:	Mr. Anil Prasad Singh, APP
For the Informant	:	Mr. Prafull Chandra Thakur, Advocate
	:	Ms. Madhumala Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-09-2024 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioners and Mr. Prafull Chandra Thakur, learned counsel for the informant as well as Mr. Anil Prasad Singh, learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since 23.03.2024, in connection with Hajipur Sadar P.S. Case No. 168 of 2024, FIR dated 22.03.2024 registered for the offence under Sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners are said to have killed the nephew of the informant.

4. Learned counsel appearing for the petitioners



submit that the petitioners, who are of clean antecedent, are innocent and they have falsely been implicated in this case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR and it appears from the investigation that the deceased has committed suicide himself. He further submits that the informant is not the eye witness of the alleged occurrence and one letter has been received during investigation which suggests that the petitioners have put pressure upon the deceased for return of the amount in question which the informant had received from the petitioner no.1. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioners. Petitioners are rotting in judicial custody since 23.03.2024..

5. Learned counsel for the informant as well as learned A.P.P. for the State, on the other hand, vehemently opposed the prayer for bail of the petitioners and submit that it has come during the investigation on the basis of the letter of the deceased that the petitioners might kill the deceased but fairly submit that except the suspicion no other cogent material has come during the investigation to suggest the involvement of the petitioners in the present occurrence.



6. Considering the aforesaid facts, petitioners having clean antecedent and there is no cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence except the suspicion, let the, above named, petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 168 of 2024 with the following conditions:-

(i) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(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.

And, further condition that the court below 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 court below 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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