

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37614 of 2024

Arising Out of PS. Case No.-5 Year-2020 Thana- PANAPUR District- Saran

Manoj Nat son of Harendra Nat Village- Dhenuki Maniya Tola Ps- Panapur
Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 63376 of 2024

Arising Out of PS. Case No.-5 Year-2020 Thana- PANAPUR District- Saran

Bimal Nat Son of Gola Nat Reisident of Vill - Dhenuki, P.S.- Panapur,
District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 37614 of 2024)
For the Petitioner/s : Mr.Rakesh Ranjan, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP
(In CRIMINAL MISCELLANEOUS No. 63376 of 2024)
For the Petitioner/s : Mr.Rakesh Ranjan, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-09-2024 Heard Mr. Ranjan Kumar, learned counsel for the

petitioners in both the cases and Mr. Jitendra Kumar Singh,

learned APP for the State in Cr. Misc. No. 37614 of 2024 as

also Mr. Bharat Bhushan, learned APP for the State in Cr. Misc.

No. 63376 of 2024.

2. The petitioners are in judicial custody in connection

with Panapur P.S. Case No. 05 of 2020 for the offence



punishable under Sections 302, 120(B) and 34 lodged on 10.01.2020 by the informant, Priyanka Kumari.

3. The allegation that has come against the accused persons is/are that the informant's husband left the place on motorcycle and later his phone was switched off. She accordingly informed her relative about it and in the morning an information came that his dead body is lying on the road side and beside him the motorcycle was also present. When she alongwith the family members reached the spot, found that his neck has been slit which led to the FIR.

4. As the story unfolds, during investigation, one Sukul Ray was taken into custody and he gave narration about his involvement as also the involvement of these two petitioners assigning role to each of them.

5. Learned counsel for the petitioners submit their names came in the confessional statement of Sukul Ray who has already been granted bail by a bench of this Court in Cr. Misc. No. 32079 of 2021 of 2021 on 28.10.2021 (Annexure-P/3). It is his next submission that the petitioners have already remained in custody since 21.12.2021 (Manoj Nat) and 24.12.2021 (Bimal Nat) both have incorporated these statements in paragraph-21 of their respective petitions. It is further submission that despite



the earlier direction of this Court while rejecting the bail application of the petitioners to conclude the trial in one year, the same is still continuing and they undertake to diligently appear in trial, if granted privilege.

6. Learned APPs jointly submit that on the confession of Sukul Ray, the names of these petitioners have come and each of them played role in killing the husband of the informant.

7. Though, the allegation is there, the names of these petitioners have come in the confessional statement, considering the fact that they had already remained in custody for almost three years, the trial which was on when the earlier bail application was taken up and rejected a year ago has still not come to an end and as per the report submitted on 20.07.2024, four witnesses have been examined, the petitioners have already undertaken to appear in trial on each and every date.

8. In that background, this Court is inclined to extend them the privilege of bail with conditions.

9. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Saran at Chapra, in connection with Panapur P.S. Case No. 05 of 2020 subject to



the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month till conclusion of the trial to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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