

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65717 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- MAHNAR District- Vaishali

1. Ramjee Rai @ Ramjee Kumar S/o- Hemlal Rai Village- Baghnocha Police Station- Mahnar District-Vaishali
2. Bharat Rai Son of Hemlal Rai Village- Baghnocha Police Station- Mahnar District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anjana, Advocate

For the State : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Heard Ms. Anjana, learned counsel for the petitioner
and Mr. Yogendra Kumar Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Mahanar P.S. Case No. 118 of 2024, F.I.R. dated 23.04.2024 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. Allegation against the petitioners is of committing murder of the informant's sister.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that from perusal of the F.I.R. it appears that the petitioners are brother-in-



laws of the deceased and they are named in the F.I.R. but there is no specific allegation of any assault or overt act attributed against these petitioners and after some time the informant has filed a petition before the Judicial Magistrate, Vaishali at Hajipur stating therein that his sister has committed suicide herself (Annexure-2).

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts that the petitioners having clean antecedents and there is no specific allegation in the F.I.R. against these petitioners and the petitioners are brother-in-laws of the deceased and they have no concern with the family affairs of the deceased, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Mahanar P.S. Case No. 118 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-



(1) 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 bonds shall be cancelled by the Court below.

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

(3) 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 antecedents, 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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