

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65218 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- RAJAPAKAR District- Vaishali

Jai Kishun Ram S/o Late Nageshwar Ram R/o Village- Harpur, Hardas, P.S-
Rajapakar, District- Vaishali 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 Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-09-2024 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner and Mr. Jharkhandi Upadhyay, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.04.2024 in connection with Sessions Trial No. 603 of 2024
arising out of Rajapakar P.S. Case No. 235 of 2023, F.I.R. dated
27.06.2023 for the offences punishable under Sections 302/34 of
the Indian Penal Code.

3. According to prosecution case, petitioner along
with other family members have killed his own daughter,
namely, Sanjana Kumari and kept her dead body in the house of
Laxmi Ram.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that from perusal of the F.I.R it
appears that the informant is not the eye witness of the alleged



occurrence and merely on the basis of suspicion, the petitioner and other family members of the petitioner have been implicated in the present case. He further submits that there is no specific allegation against the petitioner in the F.I.R. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that the other family members of the petitioner who are named in the F.I.R, namely, Sarita Devi & Others have been granted regular bail by a Co-ordinate Bench of this Court vide order dated 02.07.2024 passed in Cr. Misc. No. 85532 of 2023. The petitioner is in custody since 13.04.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that number of witnesses have supported the case of the prosecution and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-XII, Vaishali at Hajipur in connection with Sessions Trial No. 603 of 2024 arising out of Rajapakar P.S. Case No. 235 of 2023, subject to the following conditions:-

- i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- ii. If the petitioner tampers 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 court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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