

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74268 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- SALIMPUR District- Patna

1. Mantosh Nat son of Shiv Kumar Nat @ Sukumar Nat Resident of village -Sabnima, P.S.- Athmalgola, District- patna
2. Sonu Son of Umesh Nat Resident of Village- Fatuha Natwa Chowk, P.S.- Fatuha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-10-2024 Heard Ms. Kumari Pallavi, learned counsel for the
petitioners and the State.

2. The petitioners are in judicial custody in connection with S.Tr. No. 1101 of 2024 arising out of Salimpur P.S. Case No. 72 of 2024 for the offence punishable under Sections 302, 201 read with section 34 of the Indian Penal Code lodged on 12.03.2024 by the informant, Usha Devi.

3. As per the prosecution story, the informant alleged that his son had gone to his in-laws' house but it was informed that he was drowned in river Ganga. The informant had full belief that he has been killed. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that



entire in-laws family have been implicated. The fact remains that while bathing, he was drowned in the river Ganga. The NDRF team was posted in the service and after search, the dead body was recovered. Further submission is that charges have already been framed and they will be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that as per the prosecution story, the in-laws drowned the victim in the river Ganga.

6. Considering the aforesaid submission put forward by the parties as also the fact that both are young persons, in judicial custody since 13.03.2024 and 08.04.2024 (para-18 of the petition) respectively, do not have criminal antecedent, the law will take its own course, charges have already been framed and they have undertaken to appear diligently in trial, this Court is inclined to extend them the privilege of bail with conditions.

7. 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 ADJ-IV, Barh, Patna, in connection with S.Tr. No. 1101 of 2024 arising out of Salimpur P.S. Case No. 72 of 2024 subject to the following conditions:



(i) one of the bailor should be the family member/relative 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 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;

(iv) 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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