

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73131 of 2024

Arising Out of PS. Case No.-374 Year-2020 Thana- UJIYARPUR District- Samastipur

Ram Lagan Ray @ Lagan Ray @ Mukhiya Jee @ Ram Lagan Roy Son of
Yogendra Rai @ Jogan Ray Resident of Village - Chanchaour, Police Station -
Ujiyarpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Singh, Adv. Mr.Pravin Kumar, Adv.
For the State	:	Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Ujiyarpur P.S. Case No. 374 of 2020 registered for the offences
punishable under Sections 302, 120B of the IPC.

3. As per prosecution case, informant's wife has been
killed by unknown persons.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR and his name has been
surfaced in this case upon the confessional statement of co-
accused Sheela Devi. Except confessional statement of aforesaid
co-accused, there is nothing on record to connect the present
petitioner with the alleged occurrence. Petitioner is in custody
since 02.08.2024 and bears criminal antecedent of one case in



which he is on bail. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that there is no eye witness to the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. He further submits that petitioner had not been seen with the deceased and during investigation no cogent material has come against the petitioner. He further submits that co-accused Sheela Devi and Aman @ Aman Das @ Lalo Das have already been granted bail by this Court vide Cr. Misc. No. 71133 of 2021 and Cr. Misc. No. 19881 of 2024 respectively. Similarly, co-accused, Raj Kumar Paswan, and Adeshwar Sahni @ Andeshwar Sahni have also been granted bail by co-ordinate Bench of this Court vide Cr. Misc. No. 42830 of 2021 and Cr. Misc. No. 45024 of 2021 respectively and case of present petitioner stands on similar footing to the case of co-accused Raj Kumar Paswan, and Adeshwar Sahni @ Andeshwar Sahni and on the principle of parity petitioner deserves bail.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, on similar and identical allegation co-



accused has already been granted bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Dalsingsarai, Samastipur in connection with Ujiyarpur P.S. Case No. 374 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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