

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.885 of 2024

Arising Out of PS. Case No.-276 Year-2022 Thana- RANIGANJ District- Araria

1. Ram Udgar Mehta @ Ramudgar Mehta Son of Late Ram Swaroop Mehta R/o vill - Kohwara Bishanpur, P.s - Raniganj, Distt. - Araria
2. Ram Pukar Mehta @ Gautam Kumar Mehta Son of Ram Udgar Mehta @ Ramudgar Mehta R/o vill - Kohwara Bishanpur, P.s - Raniganj, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Bimal Kumar, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Raniganj P.S. Case no. 276 of 2022, registered under sections 302, 201 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant who is a *chowkidar* states that he received information about a dead body floating in the water. It subsequently transpired that it is the dead body of one Rambharosh Mehta. In spite of giving information to the members of his family, no one arrived. Finally, the FIR was registered against unknown accused persons of having killed Rambharosh Mehta and of having



made an attempt to hide the dead body.

4. Learned counsel for the petitioners submits that the FIR was registered against unknown. It was in course of investigation that the petitioners who are the father and brother of the deceased Rambharosh Mehta were falsely implicated in the case. Though various stories were narrated about some illicit affairs between the petitioner no.1 and wife of the deceased, however admittedly there is no eye witness to the occurrence. The petitioners are in custody since 13.9.2023.

5. The application for bail is opposed by learned APP for the State who submits about the material having transpired in course of investigation, about some relationship between the petitioner no.1 and the wife of the deceased however, learned APP submits that there is no eye witness to the alleged occurrence.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the petitioners being in custody for 6 months since 13.9.2023 and investigation in the case having concluded with submission of charge-sheet, the petitioners are directed to be enlarged on bail in connection with Raniganj P.S. Case no. 276 of 2022, on each of them



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Araria on the following conditions :-

(I) The petitioners shall remain properly represented in the Court below on each date and shall cooperate in the trial.

(II) In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioners, the learned trial Court may cancel the bail bond of the petitioners and take them into custody till conclusion of the trial.

(Partha Sarthy, J)

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