

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22849 of 2025

Arising Out of PS. Case No.-296 Year-2024 Thana- Arwal District- Arwal

Munna Rajbanshi S/o Ram Dayal Rajbanshi Resident of village- Bhadashi,
P.S.- Arwal, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 13-08-2025 Heard Mr. Vijay Kumar Singh, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Arwal P.S. Case No. 296 of 2024 for the offence punishable under Sections 103(1), 621(2), 238, 3(5) of the Bhartiya Nayay Sanhita, 2023 and section 302, 120B, 201, 34 of the IPC lodged on 25.07.2024 by the informant, Darshan Yadav.

3. As per the prosecution story, the informant alleged that his son Raju Kumar was a driver while the petitioner is a cleaner. He parked the vehicle, gave the keys to the petitioner and later it was found that the mobile phone was switched off and subsequently, his dead body was recovered near a canal suspecting killing by this petitioner as also associates, the FIR.

4. Learned counsel for the petitioner submits that is an



accepted fact that probably both consumed liquor, the eye-witnesses have seen this petitioner carrying a bag, in a inebriated state, the deceased unfortunately got drowned. The FSL report supports the said theory, there is no eye-witness to the alleged occurrence/killing either by the petitioner or any other person, he has remained in custody since 26.07.2024 having no criminal antecedent.

5. Learned APP opposes the prayer submitting that though he was last seen with the deceased.

6. Taking into account the aforesaid facts as also the period of custody, coupled with the fact that he has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of bail with conditions. However, it is found that the petitioner has criminal antecedent, the order shall become infructuous.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal, in connection with Arwal P.S. Case No. 296 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his bona fide;

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner 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;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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