

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74832 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- DEEPNAGAR District- Nalanda

Ram Bhajju Prasad @ Ram Bhajju Kushwaha, Son of Late Raja Mahto, R/O
Village- Deep Nagar, P.S.- Deep Nagar, Dist. Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudama Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 28-01-2025 Heard learned counsel for the petitioner and Mr.
Navin Kumar Pandey, learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 302, 201 and 506/34 of the Indian Penal Code.

3. The case of the prosecution is that on 01.03.2024, the mother of the informant namely, Sudami Devi has gone to the fields but did not return till evening. Then sister of the informant namely, Soni Devi went to search her mother. She found that in mustard fields her mother was killed with sharp cutting weapons and the dead body was concealed. The informant suspects that Vikash Kumar, Vinay Kumar an Sunaina Devi have committed this offence as they used to threaten her repeatedly.



4. Learned counsel appearing on behalf of the petitioner has submitted that during course of investigation in para-32 of the case diary one spy has disclosed that Ram Bhajju (petitioner) was having some dispute with the deceased regarding which deceased had also filed informatory petition in the court and the younger son of the deceased knows all this. After this, the petitioner has also given his confessional statement. There is nothing except these two things against the petitioner. He further submits that the annexures which he has filed with his petition goes to show that the family partition has taken place between the petitioner and the deceased. He has also submitted that the informant himself has filed a suit for partition in civil court. The basis on which his name has been implicated in this case is the dispute of property, but the annexures goes to show that partition has already taken place between the deceased and the petitioner. From perusal of the case diary it also transpires that the I.O. has not investigated the case in respect with the named accused persons, rather he has relied on the version of spy. The investigation is misguided. The petitioner is in custody since 15.05.2024.

5. The application for bail is opposed by learned APP for the State.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged 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 the learned court of Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Deepnagar P.S. Case No.85 of 2024.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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