

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89214 of 2024

Arising Out of PS. Case No.-46 Year-2023 Thana- SAHEBPUR KAMAL District- Begusarai

Rana Rai S/o Rajagop Rai R/o Vill- Ranitol, P.S.- Bachhwara, Distt-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 26-06-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 120(B), 302 and 201 of the Indian Penal Code. Petitioner has eight criminal antecedents.

3. As per the prosecution case, the informant came to know that the dead body of his nephew was lying in the area of Sahebpur Kamal Police Station near Patrol Pump besides NH.

4. The learned counsel for the petitioner submits that the petitioner is not named in the FIR and during the course of investigation he was apprehended and only on his self-statement he has been roped in the present case. The learned counsel further submits that barring suspicion, there is nothing against



the petitioner to connect him with the present case. The learned counsel next submits that it was on mere suspicion that the petitioner was arrested in Khagaria P.S. Case 154 of 2023 and during the course of interrogation he has been implicated in the present case. It has lastly been submitted that the petitioner has been granted bail by a Co-ordinate Bench of this Hon'ble Court in the other case arising out of the same transaction being Khagaria P.S. Case No. 154 of 2023 vide order dated 28.07.2023 passed in Criminal Misc. No. 46621 of 2023. The learned counsel has also drawn the attention of this Court towards the order passed by a Co-ordinate Bench of this Hon'ble Court vide order dated 20.02.2024, passed in Criminal Misc. No. 81424 of 2024 whereby the similarly situated co-accused person has been enlarged on bail. It has lastly been submitted that though the petitioner has eight criminal antecedents and he is in custody since 22.07.2024 in the present case.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that during the course of investigation the petitioner has been found to be involved in the twin murder case and he does not deserve the liberty of bail.



6. Considering the aforesaid submission made by the parties and taking into account that barring suspicion there is no material as of now against the petitioner and also the fact that similarly situated co-accused person has already been granted bail by a Co-ordinate Bench of this Hon'ble Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sahebpur Kamal P.S. Case No. 46 of 2023, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal



antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Begusarai within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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