

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2246 of 2025

Arising Out of PS. Case No.-484 Year-2022 Thana- KHAGARIA District- Khagaria

Ram Sagun Marar S/o Damodar Marar R/o Village- Gajghat, Sumbha, P.S.-
Alauli, Dist.- Khagaria, Presently residing at Habaldar Tola Bhadas North,
P.S.- Muffasil (Khagaria), Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 01-05-2025 Heard Mr. Ranjan Kumar Singh, learned counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Sessions Trial No. 383 of 2022 arising out of Khagaria (Muffasil) P.S. Case No. 484 of 2022 for the offence punishable under Section 302 of the Indian Penal Code lodged on 30.5.2022 by the informant, Vaishakhi Devi.

3. Earlier, the bail application of the petitioner was rejected in Cr. Misc. No. 24550 of 2023 on 16.08.2023 with direction to the Trial Court to expedite and conclude the same within a year.

4. Now the second petition for bail. The Trial Court Report was sought for and according to which, the case is presently pending for evidence, the charges have been framed



on 30.11.2022.

5. Learned counsel for the petitioner submits that he is in custody since 14.06.2022 (wrongly typed as 14.06.2023 in para-4 of the petition), has no criminal antecedent and if granted bail, shall be diligently appearing in trial on each and every date and failure to do so, the Trial Court can immediately cancel his bail bond. Further, he shall not indulge in any criminal activity.

6. Learned APP opposes the prayer and submitting that the allegation against him is of killing the wife and the minor son as well.

7. Though, allegation is grave, the petitioner will face the music, since the Trial Court has not even started the examination of the witnesses, the petitioner has remained in custody almost for three years, has no criminal antecedent and has undertaken to diligently appear in trial on each and every date, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. 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 Additional Sessions Judge-VII, Khagaria, in connection with Sessions Trial No. 383 of 2022 arising out of Khagaria (Muffasil) P.S.



Case No. 484 of 2022 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 even one day 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 month till conclusion of the trial 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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