

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74054 of 2018

Arising Out of PS. Case No.-75 Year-2018 Thana- RIVILGANJ District- Saran

Vijay Rai @ Vijay Kumar Ray, Son of Chhathu Ray, Resident of Village/Muhallah- Devriya, Police Station- Revilganj, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy

For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 302/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner assaulted the father of the informant and cut his neck with knife and sharp edge weapons resulting into his death.

It has been submitted on behalf of the petitioner there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is in Indian Army. The Commandant of unit vide letter dated 21.05.2018 intimated to the concerned District Magistrate, the Superintendent of Police and the Officer Incharge of concerned P.S. that the petitioner was on duty on the alleged date of occurrence and



in support of the contentions made by the Commandant, evidences were also forwarded to the concerned Officers. As per the F.I.R, general and omnibus allegation has been made against the petitioner for assaulting with knife upon the deceased. The petitioner has been made accused for oblique reasons. It is a case and counter case between the parties.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances and taking into account the Annexure 3 to the present application, letter of the Commandant, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 8th, Saran at Chapra in connection with Revilanj P.S. case No.75 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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