

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79772 of 2018

Arising Out of PS. Case No.-225 Year-2018 Thana- TARAIYA District- Saran

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Kanhaiya Rai Son of Shivnath Ray Resident of Village - Bagahi Harakhpura,
PS.- Taraiya, District - Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bishwa Bijay Kumar
Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh,
APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-01-2019 Heard the learned counsel for the petitioner, the

informant and the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Taraiya P. S. Case No. 225 of
2018 dated 20.08.2018 which was initially instituted for the
offences under Sections 341, 323, 324, 307, 379, 504 and
34 of the Indian Penal Code, but later with the death of one
Chandan Kumar, Section 302 I.P.C. has been added.

From the perusal of the F.I.R. it appears that the



petitioner has not been named; rather the specific act of assault has been attributed to other accused persons.

The name of the petitioner has transpired only in the supervision note of the Dy.S.P.

Learned counsel for the petitioner has submitted that the only reason for framing the petitioner in the present case is that he is one of the agnates of the co-accused persons of this case. Apart from the supervision note, it has been submitted on behalf of the petitioner, the name of the petitioner has not been taken by any witness, attributing any specific act of assault.

Considering the aforesaid facts as also taking into account the clean antecedents of the petitioner, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IX, Saran at Chapra in connection with



Taraiya P. S. Case No. 225 of 2018, subject to the
conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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