

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39118 of 2019

Arising Out of PS. Case No.-93 Year-2016 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Shyam Babu Rai, Son of Late Rajdeo Rai, Resident of Village- Bangari, P.S.-
Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Nilesh Kumar, Advocate
For the Opposite Party/s :		Mr. Murli Dhar
For the Informant	:	Mr. Alok Kumar Alok, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-06-2019 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Kanti
P.S. Case No. 93 of 2016 for the offence under Sections
302/120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
altogether 13 persons have been named in the F.I.R. There is no
allegation of any specific overt act against this petitioner.

Referring the case of Ram Babu Rai, Dharmendra Rai
and Rajendra Rai, learned counsel for the petitioner submits that
they have been acquitted in the trial vide judgment dated
29.03.2019. He further submits that co-accused Abhimanyu
Kumar @ Monu Singh has been granted bail in Cr. Misc. No.
50670 of 2016 vide order dated 22.12.2016. The petitioner is in



custody since 05.04.2019.

Considering the fact that three of the co-accused have been acquitted in the trial arising out of the same police case and there is no specific overt act alleged against this petitioner, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of 9th Additional Sessions Judge, Muzaffarpur in connection with Kanti P.S. Case No. 93 of 2016.

(Anil Kumar Upadhyay, J)

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