

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23789 of 2020

Arising Out of PS. Case No.-53 Year-2019 Thana- PATORI District- Samastipur

Dev Kant Rai @ Devkant Ray age 60 yrs (M), S/O- Late Shingeshwar Rai,
R/V- Ram Chandrapur Dashahara, P.S. - Patori (Mohanpur O.P.), District -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 11-11-2020 Heard Mr. Ajay Kumar, learned counsel for the
petitioner and Dr. Ajeet Kumar, learned counsel appearing for
the State through video conferencing.

Petitioner seeks regular bail in connection with
Shahpur Patori P.S. Case No. 53 of 2019 registered for the
offence under Section 363, 364 / 34 of the I.P.C.

The allegation as per the First Information Report is
that since 08.02.2019 at about 10 P.M. the husband of the
informant is traceless and the informant suspects that the
petitioner and other accused persons have killed her husband
for grabbing his land.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and from perusal of the First Information Report it would be
evident that the husband of the informant was mentally retarded
and he has left his house in the night but the petitioner (i.e.
brother of the victim) has falsely been implicated in this case
with oblique motive. Learned counsel further submits that the



co-accused / Ram Balak Rai (i.e. another brother of the victim) has been granted anticipatory bail by this Court in Cr. Misc. No. 11999 of 2020 and petitioner is in custody since 15.11.2019.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that similarly situated co-accused has been granted anticipatory bail by this court and the petitioner is in custody since 15.11.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 4th, Samastipur / court concerned in connection with Shahpur Patori P.S. Case No. 53 of 2019.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

praful/-

(Anil Kumar Sinha, J)

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