

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29785 of 2020

Arising Out of PS. Case No.-24 Year-2020 Thana- KARAHGAR District- Rohtas

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Lavkush Rai @ Dau, aged about 32 years Son of Shri Yaduni Rai Resident of Village- Torni, P.S.- Kargahar, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Malay Kumar Choudhary, Advocate

For the Opposite Party : Mr. Iftekhar Mahmood A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-12-2020 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor representing the State through video conferencing.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 302,201/34 of the Indian Penal Code.

Prosecution's case, in brief, is that the petitioner along with co-accused and some unknown persons took informant's brother with them in the night of 23.1.2020 and the next day his dead body was recovered from a pond.

Learned counsel for the petitioner submits that save and except suspicion, no incriminating material has com against the petitioner. Moreover, during investigation, mother, father and wife of the deceased have stated that the deceased was taken



away by Pran Rai and Mannish Rai @ Bajrangi and have not stated anything about this petitioner. Other two villagers have also stated that the deceased was seen in the company of Pran Rai and Manish Rai @ Bajrangi. Even post mortem report does not support the prosecution version.

In the facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate III, Rohtas at Sasaram in Kargahar Police Station Case No. 24 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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