

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24737 of 2021

Arising Out of PS. Case No.-57 Year-2020 Thana- BAKHTIYARPUR District- Patna

Manjay Rai S/o Brahmdeo Rai R/o village- Naya Tola, Dedaur, P.S.-
Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Dr. Ajeet Kumar A.P.P

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bakhtiyarpur P.S. Case No. 57 of 2020, registered for the offence under Sections 147, 148, 149, 379, 302 of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith other accused persons, named in the FIR, variously armed with *lathi, danda* and iron rod, assaulted the informant and his family members and due to which, son of the informant died during treatment.

It is submitted on behalf of petitioner that specific allegation of assault is against co-accused Sanjay Rai. There is general and omnibus allegation. The allegation against the petitioner is that he assaulted with iron rod on the hands of wife of informant. Two similarly situated co-accused persons namely Brahmdeo Rai and Sanjay Rai have already been granted bail by



this Court, vide order dated 12.02.2021 passed in Cr.Misc. No. 39336 of 2020 and order dated 14.07.2021 passed in Cr.Misc. No. 15125 of 2021 respectively. Petitioner has got clean antecedent and he is in custody since 28.05.2020.

Learned A.P.P. has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody and clean antecedent of petitioner, the bail petition of petitioner is allowed. Let the above named petitioner be released on 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.-III, Barh, District - Patna in connection with Bakhtiyarpur P.S. Case No. 57 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J)

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