

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25313 of 2020

Arising Out of PS. Case No.-190 Year-2019 Thana- HATHAURI District- Muzaffarpur

LAKSHMAN RAI Son of Late Yadunandan Rai, Resident of Village-
Shanathi, P.S.- Bochahan, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. R.P. Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 15-01-2021

Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302, 201, 34 of the Indian Penal Code registered in connection with Hathaudi P.S. Case No. 190 of 2019.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged murder of the informant's grandson Rajneesh Kumar, aged 19 years. It is submitted that except suspicion, there is no objective material to connect the petitioner with the alleged occurrence. The petitioner had not been seen with the deceased. The petitioner's case stands on better footing than that of co-accused Ramjatan Rai, who wanted his daughter to be married to the informant's grandson, and who has been granted anticipatory bail by this Court in Cr. Misc. No. 24465 of 2020 (Annexure-5 to the supplementary affidavit). So



also, co-accused Ram Binod Rai has been granted bail in Cr. Misc. No. 83728 of 2019 (Annexure-4). The petitioner is a man of advanced age of 76 years and claims clean antecedents.

4. Learned APP appears and has been heard. He has not however pointed to any objective material against the petitioner in the case diary.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Muzaffarpur (East) in connection with Hathaudi P.S. Case No. 190 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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