

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2367 of 2021

Arising Out of PS. Case No.-45 Year-2019 Thana- MINAPUR District- Muzaffarpur

SHYAM BABU RAI @ BHOLA @ BHOLA RAI @ SHYAMBABU RAY
SON OF SRI KISHOR RAI @ KISHORI RAI RESIDENT OF VILLAGE -
MADARIPUR KARN, P.S. - MEENAPUR, DISTRICT - MUZAFFARPUR
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhay, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-05-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 324, 326 & 307/34
of the Indian Penal Code.

The allegation against the petitioner is that he along
with other co-accused on sitting the body of the son of the
informant was cutting his neck with sharp weapon and after
raising hulla they managed to escape away from the place of
occurrence.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case due to
previous enmity. No incriminating article has been recovered
from his conscious physical possession. The allegation levelled
against the petitioner is not specific rather general and omnibus



in nature. It is further submitted that there is no injury report in the case diary. As a matter of fact, the present informant has evil eye on some land situated at sasural of the petitioner and sons of the informant have also misbehaved with the wife of the petitioner for which earlier Panchayati was also held but their behavior continued which resulted into institution of Complaint Case No.911 of 2019. It is lastly submitted that the charge has been framed against the petitioner. The petitioner has been languishing in custody since 12.03.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Meenapur P.S. Case No.45 of 2019.

The learned Court below is directed to accept the bail bond of the petitioner after verifying the fact that the charge is framed against him.

(Anjani Kumar Sharan, J)

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