

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2895 of 2022

Arising Out of PS. Case No.-816 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

SURAJ KUMAR S/o - Dileep Singh @ Munna Singh Resident of Village-
Kabar, P.O.- Kurasan, P.S.- Bhabua, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Sahay, Adv.
	:	Mr. Rakesh Kumar Mishra, Adv.
For the Opposite Party/s	:	Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bhabua
P.S. Case No. 816/2020 lodged under Sections 302/34 of the
Indian Penal Code.

The learned counsel for the petitioner submits that the
present FIR was lodged on 23.12.2022 in which the allegation
of 302/34 was made against the petitioner of this case but he
submits that on the same day, another FIR Bhabua Mahila P.S.
Case No.95/2020 under Section 376 and Section 6 of the
POCSO Act was also lodged against the deceased (Annexure-3
of the present petition). Learned counsel for the petitioner
further submits that the petitioner has been falsely implicated in
this case due to the reason that one Anita Devi who is wife of
informant's friend, namely, Sanjay Sah has instituted Bhabua



Mahila P.S. Case No. 95/2020 dated 23.12.2020 alleging that her daughter was raped by the deceased. He further submits that petitioner is in custody since 02.07.2021 and he is having clean antecedent. He further submits that another co-accused having similar allegation namely, Vijay Sah has been granted bail by a co-ordinate Bench of this Court vide order dated 23.12.2021 passed in Cr. Misc. No. 27942/2021. It is upon query, it would inform that charge has already been framed in this case.

Learned APP for the State has opposed the prayer for bail.

Considering the facts of the case, petitioner is in custody since 02.07.2021, charge has already been framed and the petitioner has clean antecedent as well as with a view to maintain parity, let the petitioner, above named be granted 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 learned Chief Judicial Magistrate, Bhabua in connection with Bhabua P.S. Case No.816/2020.

(Dr. Anshuman, J)

amitkumar/-

U		T	
---	--	---	--

