

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35994 of 2022

Arising Out of PS. Case No.-7 Year-2020 Thana- DARIYAPUR District- Saran

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NUNNU RAI @ NUNNU RAY @ NUNU RAY S/O LATE RAMJIVAN RAI
@ RAMJIVAN RAY Resident of Village- Rampur Jaiti, P.S. and P.O._
Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Anand, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for bail in a
case registered under sections 302 and 34 of the Indian Penal
Code.

As per the prosecution case, the allegation against the
petitioner and one Banaras Rai is of having given knife blow on
the neck of the brother of the informant, as a result of which he
fell down and died.

It is submitted by learned counsel for the petitioner
that the earlier prayer for bail of the petitioner was rejected vide
order dated 21.12.2021 passed in Cr. Misc. no. 26706 of 2021
taking into account that both the petitioner as also Banaras Rai



had assaulted the deceased with knife. It is submitted that only one injury was found on the neck of the deceased. The case of the petitioner stands on a similar footing to that of Banaras Rai who has been enlarged on bail vide order dated 11.1.2022 passed in Cr. Misc. no. 38040 of 2021. The petitioner is in custody since 27.1.2020 and undertakes to cooperate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner having remained in custody for more than 2 years 5 months since 7.1.2020 and grant of bail to co-accused Banaras Rai, the Court directs the petitioner to be enlarged on bail in connection with Dariyapur P.S. Case no. 7 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge IX, Chapra at Saran.

(Partha Sarthy, J)

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