

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48192 of 2021**

Arising Out of PS. Case No.-193 Year-2020 Thana- KATRA District- Muzaffarpur

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SANJAY RAI @ SANJAY KUMAR YADAV Son of Ram Sakal Rai Resident
of Village - Singhwari, P.S.- Katra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Katra P.S. Case No. 193 of 2020 registered for the offences
punishable under Sections 302, 201/34 of the Indian Penal
Code 1860.

The prosecution case, as per the First Information
Report, is that suspicion has been raised against the
petitioner and other accused persons that they killed the son
of the informant and hanged his dead body on a mango tree.
It has further been alleged that prior to the date of
occurrence, on 14.6.2020, the son of the informant Dilip
Kumar (deceased) assisted the Police in seizure of illicit



liquor belonging to the petitioner Sanjay Rai.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of suspicion raised in the First Information Report that two months prior to the occurrence, the deceased had caused the seizure of illicit liquor belonging to the petitioner, and except suspicion, no cogent evidence has come against the petitioner during course of investigation. He further submits that the dead body of the deceased was hanged with the mango tree and the cause of death is *asphyxia* due to *ante mortem* hanging. He next submits that there is no mark of assault or *ante mortem* external injury on the body of the deceased. The petitioner is in custody since 4.2.2021.

Regards being had to the submissions made by the parties and taking into consideration the materials on record, the fact that except suspicion no cogent evidence has come against the petitioner during course of investigation, he is in custody since 4.2.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Vth Additional Sessions Judge, Muzaffarpur, in connection with Katra P.S. Case No. 193/2020.

(Anil Kumar Sinha, J)

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