

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48660 of 2021**

Arising Out of PS. Case No.-219 Year-2018 Thana- KATRA District- Muzaffarpur

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SANJAY RAI @ SANJAY KUMAR YADAV S/o RAMSAKAL RAI R/o
VILLAGE-SINGHWARI, P.S- KATRA, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-02-2022 Heard Mr. Pankaj Kumar Das, learned counsel for

the petitioner and Mr. Md. Ataur Rahman, learned APP for the

State *via* virtual conferencing.

Petitioner seeks regular bail in connection with Katra
PS Case No. 219/2018 registered for the offence punishable
under Sections 302, 120(B)/34 of the IPC.

As per prosecution case, son of the informant left his
house in a Maruti-800 Car in drunken state and met with an
accident at two places. Thereafter, *Choukidar*, Ram Ekbal Rai
and a passersby left his son near the shop of one Md. Shiblih
and in the morning, the said *Choukidar*, Ram Ekbal Rai and one
Navin Thakur gave information regarding murder of informant's
son whose body was having bullet and knife injuries upon head
and neck.



Learned counsel for the petitioner submits that the petitioner has been implicated in this case on the basis of political rivalry inasmuch as mother of the petitioner participated in the Panchayat Election and petitioner was an active member to support her mother, Somari Devi. He further submits that similarly situated co-accused, Gaurav Kumar *vide* Cr. Misc. No. 45639/2019, Ritesh Sah *vide* Cr. Misc. No. 8703/2021, Md. Ali Hasan @ Md. Shiblih *vide* Cr. Misc. No. 74092/2019 have been granted bail by Co-ordinate Benches of this Court and one another co-accused, namely, and Rakesh Kumar @ Rakesh Ranjan has also been granted bail by this Court *vide* Cr. Misc. No. 36445/2021.

Learned counsel next submits that petitioner is in custody since 11.01.2021 and the charge-sheet has been submitted in the matter.

Having regards to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused persons have been granted bail by this Court, petitioner is in custody since 11.01.2021 and the charge-sheet has been submitted in the matter, I am inclined to grant regular bail to the petitioner subject to the conditions that (1) petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the court below and (2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

Accordingly, let the petitioner, SANJAY RAI @ SANJAY KUMAR YADAV be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 8th Additional Sessions Judge, Muzaffarpur in connection with Katra PS Case No. 219/2018.

(Anil Kumar Sinha, J)

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