

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39781 of 2022**

Arising Out of PS. Case No.-383 Year-2020 Thana- SARAIYA District- Muzaffarpur

AJAY RAI S/O RAMESHWAR RAY Resident of village- Paharpur, P.S.-  
Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravi Nandan, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, Adv.

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      03-08-2022      Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code.

As per the prosecution case, it is stated that while the petitioner caught hold of Manish Kumar, Upendra Bhagat struck him with a knife leading to his death.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 3.2.2022 (Annexure-1) passed in Cr. Misc. no. 36942 of 2021. Even as per the allegation in the FIR, no overt act has been alleged against the petitioner and it is Upendra Bhagat who is said to be the assailant. The petitioner has remained in custody since 22.1.2021 and has no criminal



antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner, the submissions made by learned counsel together with the petitioner having remained in custody for more than 1 year 6 months, the Court directs the petitioner to be enlarged on bail in connection with Saraiya P.S. Case no. 383 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 A.C.J.M., 1<sup>st</sup> (West), Muzaffarpur.

**(Partha Sarthy, J)**

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