

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42538 of 2022

Arising Out of PS. Case No.-247 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

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AMITAB RAI Son of Ram Chandra Rai Resident of Village - Bhakura,
P.s.- Ara Mufassil, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mrs.Dr. Indihar Kumari,APP

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 23-11-2022 The learned counsel for the petitioner is

directed to remove all the defects pointed out by the

office within one month.

Heard the learned counsel for the petitioner as

well as the learned Additional Public Prosecutor for the

State.

The petitioner is seeking regular bail in

connection with Mufassil P.S. Case No. 247 of 2020,

registered for the offences punishable under sections

341, 323, 308, 504, 506, 377 and 34 of the Indian

Penal Code.



As per allegation, five named accused persons, including the petitioner came to the *Darwaja* of the informant. They badly assaulted the informant. They also assaulted Rajdeo Rai, the son of the informant. The informant died during the course of treatment.

The learned counsel for the petitioner has submitted that the petitioner is under custody since 29.01.2022. He is a person of clean antecedent and on similar footing, co-accused Lalji Ray and Ram Chandra Rai have been granted bail by the Co-ordinate Bench in Criminal Miscellaneous No. 26155 of 2021.

On the other hand, the learned Additional Public Prosecutor has opposed the prayer for bail.

Considering the fact that on the similar footing co-accused persons have been granted bail, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII Bhojpur at Ara in



connection with Mufassil P.S. Case No. 247 of 2020,
subject to the following conditions:-

(i) The petitioner shall cooperate in the
disposal of trial and make himself available as
and when required by the court.

(ii) If the petitioner is found involved in future
in the similar type of offence, the
prosecution will have liberty to file an
application before the court below for
cancellation of the bail of the petitioner
and the learned court below will take decision
in accordance with law.

Office shall ensure that all defects are removed
by the petitioner within the stipulated time mentioned
hereinabove, failing which, the matter shall be brought
to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Sonali

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