

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54868 of 2021

Arising Out of PS. Case No.-131 Year-2021 Thana- BIRPUR District- Supaul

CHHOTU RAI @ CHHOTU RAY @ SHEKHAR RAI @ SHEKHAR
KUMAR S/o Ramdev Ray Resident of Village- Kusahar, P.S.- Balua Bazar,
District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Jha
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video
conferencing.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 307 and some other
ancillary Sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with
three other accused persons were forcibly assaulting Tausif @
Chand and when informant went to rescue, the accused persons
assaulted him and looted his cash and mobile. It is further
alleged that Kaamil, who was accompanying the informant,
asked the accused persons to return the looted items of
informant, they also assaulted him by means of axe on his head
as a result of which he sustained injuries.



Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that during the course of investigation, it has come in paragraphs 43, 44, 45 of case diary that it was co-accused, Chunnu Rai, who assaulted Kaamil with axe on his head. So far this petitioner is concerned there is general and omnibus allegation against him and no specific overt act has been alleged against this petitioner. Petitioner claims clean antecedent and is in custody since 23.04.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-I, Birpur, Supaul in connection with Birpur (Balua Bazar) PS case No. 131/2021.

(Prabhat Kumar Singh, J)

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