

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56384 of 2021**

Arising Out of PS. Case No.-98 Year-2019 Thana- MAHINDWARA District- Sitamarhi

Dinesh Rai Son Of Late Lal Babu Rai @ Late Lalu Rai @ Late Lalu R/O
Village- Bakharpur @ Bakarpur, P.S.- Mahindwara, District- Sitamarhi
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Anil Kumar Singh No.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2022 Heard learned counsel for the petitioner and
learned A.P.P. Mr. Anil Kumar Singh No.1 for the State..

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Mahindwara P.S. Case No. 98 of 2019 instituted for the
offences under Sections 147, 148, 149, 341, 323, 324, 307, 302,
504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 28.7.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Learned counsel for the petitioner further submits that
though the informant claims himself to be an eye-witness but he
is not an eye-witness to the occurrence, he has alleged that the
deceased was assaulted by 12 armed persons, but only two ante-
mortem injuries were found on the person of the deceased by



the doctor who had conducted post mortem examination on the body of the deceased which makes it clear that the allegations have been made against the accused persons out of previous enmity.

The Learned counsel further submits that the similarly situated co-accused Shiv Bachchan Rai @ Shiw Bachan Ray has been granted bail vide order dated 19.3.2020 in Cr. Misc. No. 86635 of 2019 and further other co-accused have also been granted bail as would be evident from Annexure-2.

Learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted and co-accused have been granted bail, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (**Rupees Ten Thousand**) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Mahindwara P.S. Case No. 98 of 2019.

(Satyavrat Verma, J)

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