

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59710 of 2021

Arising Out of PS. Case No.-2 Year-2015 Thana- GAIGHAT District- Muzaffarpur

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Anjani Kumar Son of Ramakhayalu Rai Resident of Village - Kumhraul, P.s.-
Gaighat, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Prakash Shharma

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Gaighat
P.S. Case No. 2 of 2015 registered for the offence under
Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.06.2021.

The allegation against the petitioner is to commit the
murder of the father of the informant alongwith other co-
accused persons.

Learned counsel appearing on behalf of the petitioner
submitted that the allegation, as regard to assault, is very much



general and omnibus against the petitioner, which caused the death of the father of the informant. It has further been submitted that during the course of investigation, the statement of witnesses recorded under Section 164 of Cr.P.C. suggests that death was accidental. It has also been submitted that the petitioner is a man of clean antecedent and chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the allegation, as regard to assault, is very much general and omnibus against the petitioner.

Considering the facts and circumstances as mentioned above, as the allegation, as regard to assault, is very much general and omnibus against the petitioner coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Gaighat P.S. Case No. 2 of 2015 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 15th, Muzaffarpur, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Anju Devi, who is the wife of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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