

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65490 of 2021**

Arising Out of PS. Case No.-135 Year-2019 Thana- AURAI District- Muzaffarpur

AKALU RAI Son of Tribhuwan Rai Resident of Village - Fatehpur Virauna,
P.S. - Aurai, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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

3 16-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307, 341, 323, 325, 354 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and co-accused Kailash Rai are said to have assaulted the sister of the informant leading to her death.

It is submitted by learned counsel for the petitioner that the petitioner happens to be the uncle of the husband of the deceased. The informant is not an eye witness to the occurrence and no witness has supported the allegations as levelled in the FIR, in course of investigation. Learned counsel relies on paragraph nos. 7 and 8 of the case diary. He submits that the allegations are general and omnibus in nature. The petitioner is



in custody since 14.8.2021.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration allegations in the FIR, the material that has transpired in course of investigation, there being no eye witness to the occurrence, the petitioner being in custody for 8 months and investigation in the case having concluded in the case, the petitioner is directed to be enlarged on bail in connection with Aurai P.S. Case no. 135 of 2019 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 Chief Judicial Magistrate, Muzaffarpur.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

