

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3298 of 2023

Arising Out of PS. Case No.-181 Year-2022 Thana- JAYNAGAR District- Madhubani

NITISH KUMAR RAI @ NITISH RAI SON OF GANAUR RAI R/O
VILLAGE- BALDIHA, P.S.- JAY NAGAR, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-04-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant of regular bail in connection with Jaynagar P.S. Case No. 181 of 2022 dated 13.06.2022 registered for the offences punishable u/s 341, 323, 307, 506/34 of the Indian Penal Code.

As per the prosecution case, the FIR named accused persons and 8-10 unknown miscreants assaulted the grandson of the informant and threw his dead body while the grandson went to participate in the feast. Earlier, on 1.6.2022, accused persons



assaulted him and threatened to kill him.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the FIR and the name of the petitioner has sprung up in the confessional statement of co-accused Prince Kumar. Learned counsel has further submitted that there is nothing against the petitioner except confessional statement. Learned counsel has further submitted that the petitioner is also accused in two other criminal cases which are related to theft. The petitioner is in judicial custody since 04.09.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that during the course of treatment, the grandson of the informant died and charge-sheet has already been submitted against the petitioner and other accused persons.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Madhubani in connection with Jaynagar P.S. Case



No. 181 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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