

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4314 of 2023

Arising Out of PS. Case No.-502 Year-2022 Thana- MAJHAULIA District- West Champaran

Nathuni Rai S/O Late Sitaram Rai R/O- Purshhotipur, Ward No. 10, P.S.-
Majhauiliya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has filed the instant application for grant of regular bail in connection with Majhauiliya P.S. Case No. 502 of 2022 registered under sections 447, 341, 323, 337, 302, 120B, 504 and 34 of the Indian Penal Code.

Allegation against the petitioner along with other co-accused persons is that they assaulted the informant along with her mother-in-law. Further alleged that the petitioner and co-accused, namely, Binda Devi caught informant's mother-in-law and co-accused Shyambabu Rai strangled her due to which informant's mother-in-law died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to land dispute and both



parties are agnates. It is further submitted that there is no specific allegation of assault against the petitioner rather the specific allegation of strangulation due to which informant's mother-in-law died is against co-accused Shyambabu Rai and he has already been granted bail by the different co-ordinate Bench of this Court vide order dated 16.03.2023. in Cr. Misc. No. 71752 of 2022. Nothing consistent material came against the petitioner to implicate in this case. Moreover, he is languishing in judicial custody since 11.10.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Majhauriya P.S. Case No. 502 of 2022 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 CJM, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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