

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2829 of 2023

Arising Out of PS. Case No.-213 Year-2021 Thana- RAGHOPUR District- Vaishali

RAHUL KUMAR S/o Jhanjhu Ray @ Nasibi Ray R/v- Jafrabad Tok, P.S.-
Raghopur (Rustampur O.P.), District- Vaishali at Hajipur Presently residing at
Bindel Tole, Simli Murarpur, Patna City, P.S.- Malsalami, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-05-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 302, 120(B)/34 of the Indian Penal Code.

Allegedly, it is a case of murder of the husband of the informant and the dead body was found near Toka river.

Petitioner is not named in the F.I.R. Name of the petitioner transpired during course of investigation only on suspicion. It is further submitted that there is no eye-witness of the occurrence and during course of investigation, no material has been collected against this petitioner to show his complicity in the alleged crime. *Post-mortem* report also shows that cause of death is due to asphyxia. It is next submitted that similarly



situated co-accused namely Laxman Rai and Sunil Kumar Rai have already been granted anticipatory bail by coordinate Bench of this Court, vide order dated 17.08.2022 passed in Cr.Misc. No. 14547 of 2022 and order dated 02.11.2022 passed in Cr.Misc. No. 8306 of 2022 respectively. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 213 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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