

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11924 of 2023

Arising Out of PS. Case No.-346 Year-2013 Thana- VAISHALI District- Vaishali

=====

Bharat Rai S/O Late Rajendra Rai R/O Village- Khajuatta, P.S.- Vaishali,
Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor

For the Opposite Party/s : Mr.Rabindra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Vaishali P.S. Case No. 346 of 2013 registered under sections 302, 201 and 34 of the Indian Penal Code.

The prosecution case in short, is that, the informant elder brother Shankar Rai was taken away by the co-accused persons including this petitioner and thereafter he did not return. The next day dead body of his brother was found by the side of the road which the informant identified to be his brother.

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 several land dispute going on between both the parties. It is further submitted that there is no eye witness of the alleged occurrence and even as stated by one of the witnesses that petitioner was last seen with the deceased as he had taken the deceased for settlement of some dispute, only on this basis, petitioner has been dragged in this case. Except this nothing consistent material came against him. It is also submitted that a statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 12.10.2022. Similarly situated other co-accused persons have already been granted bail by the different co-ordinate Bench of this Court vide Annexure-3 series of this petition.

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

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 Vaishali P.S. Case No. 346 of 2013 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,
Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

shubham/-

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

