

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15943 of 2023

Arising Out of PS. Case No.-176 Year-2022 Thana- VAISHALI District- Vaishali

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Ajay Rai @ Ajay Kishore Son Of Late Pramod Kumar @ Pramod Kumar
Chandrika Resident Of Village - Keshopur, P.S.- Vaishali, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-08-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 307, 302, 427 and 34 of the Indian Penal Code.

Allegation against the co-accused persons including this petitioner is to commit murder of the informant's brother by way of dashing to his bike from the scorpio vehicle in which co-accused persons along with this petitioner is said to be present.

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. It is further submitted that there is no specific overt act against the petitioner only because, he was as alleged inside the said



Scorpio vehicle, he has been dragged in this alleged offence. It is also submitted that other co-accused person who was driving the Scorpio at that time not this petitioner. The petitioner has no intention to kill the deceased as it was an accidental death. Moreover, he is languishing in judicial custody since 18.09.2022.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that petitioner and other co-accused persons were present at the time of occurrence and during investigation, witnesses supported the prosecution version.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Vaishali P.S. Case No. 176 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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