

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18205 of 2023

Arising Out of PS. Case No.-457 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

BANAI RAI Son of Late Bhikshuk Rai Resident of village - Madhopur
Hazari, P.S.- Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 376, 302 and 201 of the Indian Penal Code.

As per allegation in the FIR, daughter of the informant had gone to see Durga Puja and did not return. During search, her dead body was found lying in a field and her clothes were torn and blood was oozing from her private parts, which indicates that she was ravished before killing.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. FIR is against unknown. In para 7 and 8 of the case diary, some of the witnesses have named the petitioner and stated that petitioner



was seen in drunken state wandering in village. No direct and cogent material has come against the petitioner during investigation to show his complicity. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 3.3.2023 passed in Cr. Misc. No. 34493 of 2022. Petitioner has got no criminal antecedent and languishing in judicial custody since 30.09.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge III, Muzaffarpur in connection with Sahebganj P.S. Case No. 457 of 2021.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

