

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31153 of 2023

Arising Out of PS. Case No.-125 Year-2022 Thana- MADHUBAN District- East Champaran

CHANDAN KUMAR RAI @ CHANDAN KUMAR Son of Asarfi Rai R/o
vill - Tikam, P.S. - Madhuban, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that all the FIR named accused persons including the petitioner assaulted her husband namely, Bikhari Ray by means of lathi-danda & rod due to which her husband died on spot. Thereafter, the present FIR has been lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is own brother of the deceased and a scuffle alleged to have took place between them due to which the petitioner has



falsely been implicated in this case. From perusal of FIR, no specific overt act of assaulting attributed against the petitioner rather general and omnibus allegation leveled against him. It is further submitted that the petitioner is languishing in judicial custody since 17.5.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Madhuban P.S. Case No. 125 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 21st Additional Sessions Judge Motihari at East Champaran.

(Sunil Kumar Panwar, J)

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