

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2793 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- ANGARGHAT District- Samastipur

LAXMAN RAY S/O LATE SHIVNATH RAY Village- Jitwarpur Chauth
Farpura Ward no-13, PS- Samastipur (M), Dist- Samastipur

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2023 Heard learned counsel for the appellant and learned
Special P.P for the State.

2. The appellant has challenged the order dated 18.5.2023 passed by learned Special Judge SC/ST(POA) Act, Samastipur in connection with Angarghat P.S. Case No. 60 of 2022 instituted for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(2)(va) of the SC/ST Act whereby his prayer for being released on bail has been rejected.

3. According to the prosecution case, the informant got an information that her husband has been killed by some unknown persons when he went to watch the orchard.

4. It is submitted by learned counsel for the



appellant that appellant is innocent and he has falsely been implicated in this case. The appellant is not named in the F.I.R and his name subsequently transpired during investigation on the basis of confessional statement of co-accused person. Except confession of co-accused, no cogent material has come during investigation to suggest the involvement of the appellant in the present occurrence. The appellant is in custody since 1.5.2023. Moreover, similarly situated co-accused Jitendra Kumar Ray has been granted bail by a coordinate Bench of this Court vide order dated 13.7.2023 passed in Cr. Appeal (SJ) No. 247 of 2023.

Learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the appellant.

Having heard learned counsel for the parties and considering the facts and circumstance of the case, this Court deems it appropriate to set aside the order dated 18.5.2023 in connection with Angarghat P.S. Case No. 60 of 2022.

Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge, SC/ST (POA) Act,
Samastipur in connection with Angarghat P.S. Case No. 60 of
2022.

(Sunil Kumar Panwar, J)

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