

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40394 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- KHAJEKALA District- Patna

JAI BABU RAI Son of Chanak Rai @ Chanarik Rai Resident of Mohalla -
Shish Mahal Hamampar, P.S. - Khajekalan, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with G.R. No. 302 of 2023 arising out of Khajekalan P.S. Case No. 331 of 2022 dated 16.10.2022 registered for the offences u/ss 323, 341, 504, 324, 307, 302, 506 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons holding lathi, iron rod and knife in connivance with one another assaulted the informant's husband.



When the informant's daughters and her nephew came to rescue, all the accused persons also assaulted them. Then, villagers came there and the injured were taken to hospital where the doctor declared the informant's husband dead.

5. Learned counsel for the petitioner has submitted that the petitioners is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner is made accused in this case due to village politics. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.10.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody and the allegation being general and omnibus, the petitioner above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City in connection with G.R. No. 302 of 2023 arising out of Khajekalan P.S. Case No. 331 of 2022.



8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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