

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44044 of 2022

Arising Out of PS. Case No.-58 Year-2022 Thana- CHAKAI District- Jamui

1. PRAMOD RAI SON OF MUNI RAY R/O VILLAGE- GADDI, P.S.- CHAKAI, DISTRICT- JAMUI
2. SAROJ RAI SON OF MOHAN RAY R/O VILLAGE- GADDI, P.S.- CHAKAI, DISTRICT- JAMUI
3. SANDEEP RAI SON OF ASHOK RAY R/O VILLAGE- GADDI, P.S.- CHAKAI, DISTRICT- JAMUI
4. MUKUND RAI @ MAKUN RAY SON OF LALI RAY R/O VILLAGE- GADDI, P.S.- CHAKAI, DISTRICT- JAMUI
5. DIWAKAR RAI SON OF KARTIK RAY @ KATO RAI R/O VILLAGE- GADDI, P.S.- CHAKAI, DISTRICT- JAMUI
6. GAUTAM SAH @ GAUTAM KUMAR SAH SON OF INDO SAH R/O VILLAGE- RAGHUSAR, P.S.- CHAKAI, DISTRICT- JAMUI
7. PANCHANAND PANDEY SON OF SUKHDEV PANDEY R/O VILLAGE- SIMIRIYA, P.S.- CHAKAI, DISTRICT- JAMUI
8. KRISHANDEV RAY SON OF LATE LAXMI RAY R/O VILLAGE- JALKHARIODIH, .S.- DEORI, DISTRICT- GIRIDIH (JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 09-02-2023 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners apprehend arrest in connection with
Chakai P.S. Case No. 58 of 2022 registered for the offence
under sections 363, 364, 365/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that



petitioners are not named in the first information report and they have been falsely implicated in this case on basis of confessional statement of co-accused. Similarly situated co-accused persons have been granted bail by a co-ordinate Bench of this Court vide order dated 15.11.2022 passed in Cr. Misc. No. 34260 of 2022. Petitioners are men of clean antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail of petitioner nos. 1, 2 and 3 on the submission that their case is not similar to the persons who have been granted bail by the aforesaid order as the victim in his statement under section 164 Cr.P.C. has taken their names.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the petitioner nos. 4 to 8, above named, are directed to be released on bail on furnishing personal bond to the satisfaction of Additional Chief Judicial Magistrate, V, Jamui in connection with Chakai P.S. Case No. 58 of 2022 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

As regards petitioner nos. 1, 2 and 3, considering the nature of allegations levelled, the materials available against them and the submissions advanced on behalf of the State, this



Court is not inclined to grant them the privilege of anticipatory bail. Their prayer for bail is accordingly rejected.

The application stands disposed of.

(Arvind Srivastava, J)

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