

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48380 of 2023

Arising Out of PS. Case No.-225 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Virendra Ray Son of Late Ramshobhit Ray Resident of village - Dadpur, ward
no. 06, Dadpur - Moffussil, P.S - Samastipur, Bihar - 848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-10-2023 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 302, 201, 120B, 34 of the Indian Penal Code.

3. According to prosecution case, as per F.I.R. it appears that the allegation is that Munna Rai @ Munna Kumar the son of informant went towards bridge but he did not return till evening. The informant further alleged that rumour flowed that one dead body was flowing in Chatra Pokhar and informant went there and identified the dead body of his son. It is further alleged that there was injury on his nose and blood oozing out from his nose. It is further alleged that petitioner alongwith other co-accused persons committed murder of the son of



informant and thrown his dead body in Chatra Pond of Garuara Chour.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is no eye witness of the alleged occurrence and only on the basis of suspicion the petitioner has made accused in the present case and there is no specific overt-act against the petitioner.

5. Learned counsel for the petitioner in para-7 of the bail petition submits that the deceased was a mentally retarded person and he had died due to drowning in the pond and the informant is trying to use this opportunity to falsely implicate the petitioner in the present case. He further submits that there is admitted land dispute between the parties and petitioner and informant are neighbours. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State has opposed the prayer for anticipatory bail.

7. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned court below within a period of six weeks from today, on furnishing



bail bond or Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Samastipur Mufassil P.S. Case No. 225 of 2023 corresponding to the G.R. No. 1160 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J.)

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