

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49703 of 2023

Arising Out of PS. Case No.-80 Year-2023 Thana- PIPRA District- East Champaran

Suresh Rai Son of Late Balchan Rai, Resident of village - Bherkhiya, P.S. -
Pipra, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 31-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302, 34 of the Indian Penal Code.

3. According to prosecution case, in short, is that one Shanti Devi has given a written application to the Officer-in-charge, Pipra police station stating therein that on 07.03.2023 at about 09:00 P.M. his husband went to sleep at Gowas. On 08.03.2023 at 06:00 A.M., when informant reached at Gowas she found that her husband was died by sustaining injury with knife on his chest & back. Before this incident, the accused Suresh Rai and his family members threatened her husband.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. Petitioner has three criminal antecedents as mentioned in para-3 of this application. 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. He further submits that in the entire case diary the relative of the informant has supported the prosecution case but no independent witness has supported the prosecution case.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of 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 Pipra P.S. Case No. 80 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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