

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52661 of 2023

Arising Out of PS. Case No.-33 Year-2009 Thana- MUSAHARI District- Muzaffarpur

Ram Babu Rai @ Ram Babu Ray S/O Bhekhdhari Rai Resident Of Village-
Dumari, Mominpur @ Bishunpur Manohar, P.S- Mushahari, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 3/4 of the Explosive Substance Act pending in the learned court below.

3. Accusation is of killing the father of the informant by petitioner and other co-accused persons. It is also alleged that co-accused Lalan Rai and Sanjay Rai assaulted the informant by means of knife causing injuries to him. Co-accused Ram Pravesh Rai and Mahesh Rai hurld bomb on the informant side causing injuries to nephew of the informant.

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



case. He further submits that after investigation the police has filed final form against the petitioner and learned court below also accepted the same but during the trial some witnesses have made statement against the petitioner on that basis the petitioner was called under Section 319 of the Cr.P.C. He submits that summon was issued, therefore, the petitioner has filed the present anticipatory bail application. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the fact that petitioner was made accused under Section 319 Cr.P.C., let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Mushahari P.S. Case No.33/2009, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Petitioner is directed to cooperate in the trial. If the



petitioner will not appear on two consecutive dates of the trial
before learned Court below, the bail bond of the petitioner shall
be cancelled by the learned Court below.

(Anjani Kumar Sharan, J)

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