

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53894 of 2022

Arising Out of PS. Case No.-136 Year-2020 Thana- DESARI District- Vaishali

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SANJAY RAI SON OF SURENDRA RAI Resident of Village - Nayagaon
Ganiyari, P.s.- Desari, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-02-2023 Heard learned counsel for the petitioner, learned
counsel for the informant learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201/34 of the Indian Penal Code.

According to prosecution story, the informant alleged that his nephew Neeraj Kumar was last seen with co-accused persons on motorcycle. Thereafter, it came to know that his nephew is not traceable. Later on, the dead body of Neeraj Kumar was found half buried. The informant claims that his nephew was murdered by the accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. Neither the petitioner named in FIR nor he has concern with the deceased as well as other accused person. There is no eye witness of the occurrence and no any persons has seen the petitioner with the deceased. The entire prosecution story hinges around suspicion. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, co-accused Rahul Kumar who is named in FIR, has already been granted bail by different Bench of this Court vide order dated 4.3.2021 passed in Cr. Misc. No. 35861 of 2020 and the same has annexed as Annexure-3. It is further submitted that the petitioner is languishing in judicial custody since 10.3.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Desari P.S. Case No. 136 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Chief
Judicial Magistrate-XV, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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