

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58790 of 2022

Arising Out of PS. Case No.-101 Year-2016 Thana- JANTA BAZAR District- Saran

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SURAJ KUMAR RAI @ SURAJ RAI S/o Bhim Rai Resident of Village-
Khedu Chapra, P.S.- Janta Bazar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Anuj

For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-03-2023 Heard the parties.

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

Allegedly, the deceased was on business term and in consequence thereof, he gave loan of Rs.1,00,000/- to one of the accused. It is further alleged that when the deceased went to demand his money back, the accused persons assaulted him by *lathi*, *danda* and brick, as a result of which, the deceased namely Shahbaz received injury and died.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in



nature. He submits that in the complaint petition, the petitioner has not been made an accused in the present case but after three years of investigation on the basis of supervision note of SP, the petitioner has been made accused. He further submits that similarly situated main co-accused has already been granted anticipatory bail by a co-ordinate bench of this Court (Annexure-2 of the bail application). Petitioner has no criminal antecedent.

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

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 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 Janta Bazar P.S. Case No.101 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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