

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64038 of 2023

Arising Out of PS. Case No.-158 Year-2018 Thana- MANIHARI District- Katihar

Chhotu Rai Son Of Subh Narayan Rai Village- Mohnadih Ps Barari Dist
Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148,149, 323, 325 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, ten named accused persons including the petitioner assaulted to the husband of the informant with butt of their respective rifle and gun, as a result of which husband of the informant died during course of treatment.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. The informant is



not the eye witness of the alleged occurrence. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific allegation of assault against the petitioner. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 04.01.2021 passed in Cr. Misc. No. 34231 of 2020 which is annexed as Annexure-2 of this petition. It is also submitted that petitioner is languishing in judicial custody since 06.04.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Manihari P.S. Case No. 158 of 2018 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

