

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65603 of 2023

Arising Out of PS. Case No.-268 Year-2023 Thana- VAISHALI District- Vaishali

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1. Bishuni Rai @ Vishnu Ray Son Of Julumdhari Rai Resident Of Village- Khajuata, Ps- Vaishali, Distt- Vaishali
 2. Ramod Rai Son Of Ganga Rai Resident Of Village- Khajuata, Ps- Vaishali, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with Vaishali P.S. Case No. 268 of 2023 registered for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 354B, 379, 504, 506 of the Indian Penal Code and subsequently added section 302 of the I.P.C.

3. As per prosecution case, the FIR named accused persons including the petitioners came at informant's house and started assaulting. When his neighbour Awadhes Rai came to save him, the accused persons also assaulted him by means of iron rod and lathi-danda due to which he sustained injuries but during course of treatment he died.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. From perusal of FIR, it appears general and omnibus allegations leveled against these petitioners. No specific over-act against the petitioners. It is further submitted that the petitioners are languishing in judicial custody since 24.6.2023. Moreover, similarly situated co-accused namely, Mangal Rai has already been granted bail by this Court vide order dt. 11.10.2023 passed in Cr. Misc. No. 64005 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Vaishali P.S. Case No. 268 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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