

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69611 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- BANIAPUR District- Saran

Amit Rai S/O Shatrudhan Rai R/O Vill- Sohail Gajan, Baniyapur, District
Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Baniyapur P.S. Case No.153 of 2023, lodged on 08.05.2023,
under Sections under Sections 341/323/324/307/34 of the Indian
Penal Code.

3. As per the prosecution case, FIR has been lodged
against four named accused persons with allegation that on the
night of 06.05.2023 when informant's husband was returning to
his home then on some issue dispute started. When informant's
husband went to pacify the dispute then petitioner along with
other co-accused assaulted him. They caught-hold him and
specific allegation against Dhananjay Rai that he has stabbed
knife in the stomach of the informant's husband due to which he



was referred to hospital and during treatment he died.

4. Learned counsel for the petitioner submits that antecedent of the petitioner is clean and he is in custody since 08.05.2023. It has been alleged that specific allegation of stabbing is against Dhananjay Rai and not against the present petitioner. Charge sheet has already been filed in this case.

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

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Baniyapur P.S. Case No.153 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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