

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66484 of 2022

Arising Out of PS. Case No.-269 Year-2022 Thana- GAIGHAT District- Muzaffarpur

DEBU RAI Son of Amiri Rai R/v- Jaganiya, P.S.- Gaighat, District-
Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-03-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 307, 302/34 of the
Indian Penal Code.

As per allegation in the FIR, while the informant's
father and Md. Dukhi were watching the mango tree in orchard,
FIR named accused persons along with 10 unknown persons
came there and killed the informant's father by assaulting and
Md. Dukhi has also sustained injury.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Informant
is not the eye witness of the alleged occurrence. Allegedly 19
persons have assaulted the deceased but as per postmortem



report, only two abrasions were found on his body, which falsify the prosecution story. Md. Dukhi was present at the place of occurrence but he has not been named as witness in the charge-sheet. No specific overt act is attributed to the petitioner. He is languishing in judicial custody since 14.06.2022.

The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Muzaffarpur in S. Tr. No. 735 of 2022 arising out of Gaighat P.S. Case No. 269 of 2022.

(Sunil Kumar Panwar, J)

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