

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67422 of 2022

Arising Out of PS. Case No.-336 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

SURENDRA RAI @ BAGAN S/o Late Munni Lal Rai R/v- Dighi Kala
Pachimi, P.S.- Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar Mr. Rajeev Ranjan No.II Mrs. Priyanka Kumari
For the Opposite Party/s :		Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 447, 323, 302, 307, 504, 506, 120B of the Indian Penal Code.

As per prosecution case, informant alleged that petitioner along with co-accused persons having armed with *lathi, danda, rod* and deadly weapons came and upon instigation of co-accused namely Jai Prakash Rai, they indiscriminately started assaulting due to which his brother sustained injury and during treatment he died.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case and his name came into light merely on the basis of CCTV footage. The CCTV footage is a public place and accidentally he was present at the time of alleged occurrence, further he is not named in the FIR. There is general and omnibus allegation against the petitioner. Similarly situated co-accused namely, Mukesh Rai @ Mukesh Kumar has already been granted bail by a coordinate Bench of this Court vide order dated 16.05.2022 passed in Cr. Misc. No. 67989. Moreover, the petitioner is languishing in judicial custody since 13.07.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody of this petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Sadar P.S. Case No. 336 of 2017 on furnishing bail bond of Rs.10,000/- (ten thousand) 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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