

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71875 of 2023

Arising Out of PS. Case No.-505 Year-2021 Thana- BHAGWAN BAZAR District- Saran

Hichi Rai @ Krishana Rai @ Krishnandan Kumar Rai Son Of Sarwajit Rai
Mohalla- Brahmpur Garhpar Near Abdul Qaum Ansari High School Ps-
Bhagwan Bazar Dist- Saran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

3. The prosecution case in nutshell is that one Mallu Chaudhary call the brother of informant and they both went at Dhobi tola tower in Chhota Brahampur. It is further alleged that as his brother reached there all the accused persons including the petitioner assaulted



the informant's brother by means of feast, kick and dagger due to which brother of informant succumbed to injuries.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is no specific allegation rather the allegation levelled against the petitioner is general and omnibus that all the co-accused persons have assaulted the informant's brother. Many persons of the locality have seen the deceased lastly with Mallu Chaudhary and the name of petitioner sprang up in this case merely on the basis of suspicion. It is also submitted that petitioner is languishing in judicial custody since 08.05.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused person, namely, Dinesh Chaudhary has been granted bail by co-ordinate Bench of this Court.

5. Learned APP appearing for the State has



vehemently opposed the prayer for Bail.

6. 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 Bhagwan Bazar P.S. Case No. 505 of 2021 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 Additional Sessions Judge V, Saran, Chapra.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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