

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72616 of 2023

Arising Out of PS. Case No.-449 Year-2022 Thana- MUNGER MUFFASIL District- Munger

CHHABO RAI SON OF BABAN RAI R/O VILLAGE- RAGHUNATHPUR,
P.S.- SAHEBPUR KAMAL, DIST.- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha

For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-11-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302, 201, 34 of the Indian Penal Code and 27 of Arms Act.

3. Allegedly, when the informant along with his associates were irrigating crops, the petitioner and other accused persons surrounded his father and Bana Rai, Pandav Rai and Dhananjay Rai shot at his father due to which he died.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the



petitioner. He further submits that similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court (Annexure-2 and 3). Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the similarly situated co-accused persons have been granted bail, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Muffasil P.S. Case No.449 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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