

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69119 of 2022

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

INDRAJEET RAI S/O AMIRI RAI Resident of village- Jaganiya, P.S.-
Gaighat (Benibad O.P.), 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.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 17-04-2023 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Gaighat P.S. Case No. 269 of 2022, registered for the offences punishable under Sections 307, 302/34 of the Indian Penal Code.

As per allegation, nine named accused persons, including the petitioner and ten unknown persons came there and badly assaulted his father, who died at the spot.

The learned counsel for the petitioner has submitted that the informant is not an eye-witness of the occurrence. As per allegation, nineteen accused persons badly assaulted the deceased, but only two abrasions were found on his dead body.



The case of the petitioner is exactly on similar footing than that of co-accused Debu Rai, who has been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 66484 of 2022.

On the other hand, the learned APP has opposed the prayer for bail and submitted that the cause of death of the deceased is shock and hemorrhage, caused by hard and blunt substance.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge Muzaffarpur in connection with Gaighat P.S. Case No. 269 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance



with law.

(iii) Before release of the petitioner, the learned court below shall verify the criminal antecedent of the petitioner and it comes to the notice of the learned court below that the petitioner is involved in any other case, the learned court below shall be at liberty to cancel his bail bond.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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