

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70834 of 2022

Arising Out of PS. Case No.-137 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

Subash Rai @ Subhash Rai Son Of Late Banshnarayan Rai R/V- Katra (kala)
P.S- Mohania, Dist- Kaimur At Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Mohania P.S. Case No. 137 of 2022 registered under sections 147, 148, 149, 447, 341, 323, 307 and 504 of the Indian Penal Code and later on 302 of the IPC was added.

Allegation against the co-accused persons including this petitioner that they committed the murder of the informant's father by means of lathi, danda and fire arms.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. It is further submitted that there is no specific overt act of assaulting against the petitioner rather general and omnibus allegation has been levelled against him. There is no allegation of tampering of witnesses as alleged against the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused persons have already been granted bail by the different co-ordinate Bench of this Court vide order dated 20.12.2022 in Cr. Misc. No. 47761 of 2022 and order dated 20.12.2022 in Cr. Misc No. 47860 of 2022. Further, the petitioner is languishing in judicial custody since 10.10.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Mohania P.S. Case No. 137 of 2022 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



Chief Judicial Magistrate, Mohania.

(Sunil Kumar Panwar, J)

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