

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5356 of 2023

Arising Out of PS. Case No.-15 Year-2021 Thana- SARAIYA District- Muzaffarpur

1. Vijay Rai S/O Brahamdev Rai Resident Of Village- Gigas @ Ginjas @ Ginjas Khas, P.S.- Sariya (Jaitpur O.P.), District- Muzaffarpur.
2. Vinesh Patel @ Vinesh Kumar Rai S/O Sitaram Rai Resident Of Village- Gigas @ Ginjas @ Ginjas Khas, P.S.- Sariya (Jaitpur O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Petitioners along with other accused persons are said to have assaulted the son of the informant as a result of which he died.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that occurrence took place on 27.12.2020 but the FIR has been lodged on 04.01.2021 after delay of nine days without explaining any reasonable cause of delay. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is no direct



evidence against the petitioners and only on the basis of suspicion, name of the petitioners has transpired in this case. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 04.07.2022 passed in Cr. Misc. No. 53193 of 2021. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Saraiya (O.P. Jaitpur) P.S. Case No. 15 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

