

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78039 of 2023

Arising Out of PS. Case No.-153 Year-2022 Thana- CHIRAIYA District- East Champaran

BYASH RAI S/O LATE CHANDRADEO RAI RESIDENT OF VILLAGE-
AKAUNA, P.S- CHIRAIYA, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 302/120 of the IPC and 27 of the
Arms Act.

3. Allegedly, the petitioner along with other co-accused
persons is said to have committed murder of the brother of the
informant under a conspiracy.

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



F.I.R. and one accused was apprehended, who did not take the name of the petitioner but on the basis of a letter, the petitioner has been made accused in the present case. Petitioner has no criminal antecedent and similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 01.08.2023 passed in Cr. Misc. No.19962/2023.

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

6. Having regard to the facts and circumstances of the case, since the similarly situated co-accused has been granted bail, let the above named petitioner, be released on bail, in the event of his 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 Chiraiya (Chariya) P.S. Case No.153 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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