

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74422 of 2022

Arising Out of PS. Case No.-678 Year-2022 Thana- BIHTA District- Patna

DEV NIWAS RAI Son of Late Kamat Rai R/v- Amnabad P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
	:	Mrs. Usha Kumari Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-04-2023 Heard learned senior counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302 and 201/34 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that there is specific overt act against co-accused Sri Ray to show the husband of the informant with rifle. He submits that the



similarly situated other co-accused person has already been granted bail by this Court vide order dated 06.04.2023 passed in Cr. Misc. No. 3530/2023 and vide order dated 23.02.2023 passed in Cr. Misc. No. 61696/2023. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bihta P.S. Case No.678/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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