

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 3530 of 2023

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

ASHOK KUMAR @ ASHOK RAI Son of Nazir Rai R/V- Amnabad P.s-
Bihta Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-04-2023 Heard learned Senior Counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he along with other named and unnamed accused persons, killed the husband of the informant.

Learned Senior Counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in



nature. There is no specific overt act against the petitioner. There is specific allegation against the co-accused Sri Rai, Mandeep Rai and Amir Rai. Similarly situated co-accused, namely, Binda Rai, has been enlarged on bail by a co-ordinate bench of this court vide order dated 23.02.2023 passed in Cr. Misc. No. 61696 of 2022. Petitioner has got one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case, 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 Bihta P.S. Case No. 678 of 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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