

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81036 of 2023

Arising Out of PS. Case No.-313 Year-2022 Thana- RAGHOPUR District- Vaishali

Dev Charan Rai S/O Masudhan Rai Village- Jafrabad Dih,Ps. Raghopur (O.P-
Rustampur), Dist. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Chandra Gandhi, Advocate
For the State	:	Mr. Shailendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Raghopur (Rustampur O.P.) P.S. Case No. 313 of 2022 instituted
for the offence under Sections 302/120(B)/34 of the Indian
Penal Code and 27 of the Arms Act.

3. The prosecution story in short is that on 06-11-
2022, at about 3:30 PM, the informant got information that his
father has been murdered. When the informant reached
Jafarabad Dih, he found that his father is dead sustaining fire
arm injury on his head. The accused persons were assaulting the
cousin brother of the informant and when the father of the
informant came to intervene, the accused persons started to



assault the father of the informant with *lathi*, *farsa* and sword and due to which the father of the informant has sustained injury.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24-06-2023. Petitioner is stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case and petitioner is not the main assailant of the deceased. There is general and omnibus allegation attributed to the petitioner. Other similarly situated co-accused have been allowed bail by the Co-ordinate Bench of this Court passed in Cr. Misc. No. 17402 of 2023 and Cr. Misc. No. 20518 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raghapur



(Rustampur O.P.) P.S. Case No. 313 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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