

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3640 of 2023

Arising Out of PS. Case No.-282 Year-2020 Thana- MAHUA District- Vaishali

BINOD RAI Son of Late Ram Autar Rai @ Ram Awatar Rai R/V- Milki
Maricha (Mansurpur Milki) P.S- mahua Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 307, 302 of the Indian Penal Code.

According to FIR, on 6.5.2020 at about 3:00 while the informant along with his wife was going to old house, in the meantime, the accused persons including the petitioner surrounded them and started assaulting by means of lathi danda due to which informant's wife sustained injuries. Thereafter she was taken to hospital but she died in course of the treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The occurrence took place on 16.5.2020 but the FIR has been lodged in delay of more than



10 days on 27.5.2020. It is further submitted that general and omnibus allegation of assaulting has been leveled against the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, similarly situated co-accused persons have already been granted bail by different co-ordinate Benches of this Court which shows from Annexure-2 series. It is further submitted that the petitioner is languishing in judicial custody since 17.8.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mahua P.S. Case No. 282 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

Amandeep/-

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

