

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79870 of 2023

Arising Out of PS. Case No.-78 Year-2021 Thana- BARHIYA District- Lakhisarai

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Banti @ Mahant Shivraj Das @ Banti Jha Son Of Raj Kumar Jha @ Rajju
Mira Resident Of Village- Barahiya Misarba Tola, Ward No. 8 P.S. Barahiya,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar
For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per allegation in the FIR, while the informant and his friends were sitting at the door of their house, all accused persons came there and dragged his father out of the house and took away him by four wheeler. During course of search, they found dead body of his father thrown near railway campus. It is further alleged that 2-3 days prior to the alleged occurrence, accused persons threatened his father of dire consequences.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous enmity. Informant is not eye witness of the alleged occurrence. No any specific allegation has been levelled against the petitioner. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 04.01.2023 in Cr. Misc. No. 39333 of 2022. Moreover, the petitioner is languishing in judicial custody since 12.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Barahiya P.S. Case No. 78 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Lakhisarai.

(Sunil Kumar Panwar, J)

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