

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15733 of 2024

Arising Out of PS. Case No.-198 Year-2022 Thana- PALANWA District- East Champaran

Hari Lal Patel @ Hari Lal Raut @ Hira Lal Raut Son of Late Gauri Sankar Raut @ Gena Patel Resident of Village- Kalikapur, P.S.- Palanwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Palanwa P.S. Case No. 198 of 2022 instituted for the offences under Sections 147, 342, 323, 302 & 120(B) of the Indian Penal Code and Section 25(1-b) and 35 of the Arms Act.

3. As per prosecution case, on 07.09.2022, the husband of the Informant had gone to buy vegetables but, he did not return and subsequently, on 08.09.2022, in the morning, the Informant received an information that her husband has been killed in the village Kalikapur by the mob consisting of twenty named accused persons along with hundred unknown people.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case on mere suspicion. There is no eye-witness to the alleged occurrence. The petitioner has no concern with the occurrence as he was out of station due to his official duty. There is also no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature and nothing has come during investigation against the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 04.12.2023.

5. Learned counsel for the petitioner again submits that the co-accused Chandeshwar Patel has been granted bail by this Court vide order dated 23.02.2024 passed in Cr. Misc. No. 11579 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent coupled with the fact that the claim for bail based on parity, let the petitioner,



abovenamed, 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 Palanwa P.S. Case No. 198 of 2022.

(Rudra Prakash Mishra, J)

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