

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14621 of 2024**

Arising Out of PS. Case No.-181 Year-2022 Thana- KHAJEKALA District- Patna

JOKATI RAI @ DHARMENDRA RAY S/O MANTU RAI R/O VILLAGE-
HAMAMPAR, P.S- KHAJEKALAN, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

5 20-12-2024 Heard Mr. Pramod Kumar, learned counsel for the

petitioner and Mr. Dilip Kumar No.1, learned APP for the

State.

2. The petitioner apprehends his arrest in a case

registered for the offence punishable under Sections 363,

365, 385, 387, 34 of the Indian Penal Code.

3. As per the FIR, the petitioner and other co-accused

persons are said to have been involved in the killing of the

son of the informant.

4. It is submitted by learned counsel for the petitioner

that petitioner is quite innocent and has committed no

offence. He has been falsely implicated in this case. No such

occurrence, in the manner as alleged, has ever taken place.



The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that one of the co-accused was apprehended by the police and he confessed before the police that he killed the son of the informant. Petitioner has no concern with the alleged occurrence. Petitioner has three criminal antecedents.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that process u/s 82 of the Cr.PC has been issued against the petitioner on 01.09.2024, therefore the present application is not maintainable.

6. Having regard to the facts and circumstances of the case, since, only the process u/s 82 of the Cr.PC has been issued against the petitioner and not the process u/s 83 of the Cr.PC and also considering that the co-accused has confessed that he killed the son of the informant, therefore, let the above named petitioner, be released on bail, in the event of his/her 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 Khajekalan P.S. Case No.181 of



2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, the petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Anjani Kumar Sharan, J)

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