

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16488 of 2024

Arising Out of PS. Case No.-82 Year-2022 Thana- MADHAURAH District- Saran

Rajendra Rai @ Bhatura @ Rajendra Kumar, Son of Satyendra Ray, Resident
of Village- Tehti, P.S.- Marhowrrah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Marhowrah P.S. Case No. 82 of 2022 registered for the
offences punishable under Sections 302, 120(B), 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the FIR named accused
persons killed the brother of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent has committed no offence. He further
submits that the petitioner was not named in the FIR and his
name has come in this case during the course of investigation.
There is only material against this petitioner is that he was in
conversation with the co-accused Sunil Kumar at the relevant



time. There is no incriminating material found against the petitioner. Similarly situated co-accused namely, Sunil Kumar has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 22.08.2023 passed in Cr. Misc. No. 48493 of 2023. Petitioner has one criminal antecedent in which he is on bail.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Marhowrah P.S. Case No. 82 of 2022, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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