

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40441 of 2024

Arising Out of PS. Case No.-392 Year-2019 Thana- FALKA District- Katihar

Prakash Rai @ Prakash Ray Son of Late Jagarnath Ray @ Jagannath Rai R/O
Vill.- Chhohar, P.S.- Falka, Pothia, Dist.- Katihar

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 302, 201, 323, 324, 379 of the IPC.

3. As per the prosecution case, the petitioner is said to have been involved in the murder of the wife of informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case due to enmity. There is general and omnibus allegation against the petitioner. He submitted that the petitioner is not named in the F.I.R. During the course of investigation, one person was apprehended and he disclosed the name of the petitioner and



other accused persons. He further submitted that some of the similarly situated co-accused persons have already been granted bail by this Court and other co-ordinate Bench of this Court. The petitioner has one criminal antecedent and has been rotting in judicial custody since 09.01.2024.

- 5. Learned APP for the State opposed the prayer for bail.
- 6. Considering the facts and circumstances of this case and the period of custody, the above named petitioner is directed to be enlarged on bail 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/the Successor Court, in connection with Falka (Pothia) P.S. Case No.392 of 2019.
- 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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