

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66953 of 2023

Arising Out of PS. Case No.-308 Year-2023 Thana- MADHUBAN District- East Champaran

Chhabila Rai @ Chhabela Rai Son of Late Suraj Rai Resident of Village
-Maharani Sirsiya P.S.- Pipra District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Madhuban P.S. Case No. 308/2023 lodged on 02.07.2023 under
Sections 302/120B/201 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against six named accused persons, including the present
petitioner alleging therein that the petitioner along with other
had called the deceased with whom he left the house and after
few days, his dead body was recovered. Thereafter, the present
FIR has been lodged in which the informant has disclosed the
name of six persons on the basis of suspicion.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The



petitioner is in custody since 06.07.2023 and is accused in two more criminal cases, but in both the cases, he has been granted bail. The chargesheet has already been filed. Learned counsel for the petitioner further submits that in the case diary, no cogent material has come against the petitioner, moreover, there is no eye witness to the alleged occurrence save and except suspicion.

5. Learned counsel for the State opposes the prayer for bail.

6. Learned counsel for the informant vehemently opposes the prayer for bail of the petitioner but fairly submits that there is no eye witness in this case but there is strong suspicion upon the petitioner due to the reason that he is the beneficiary from the death of the deceased.

7. Upon specific query from the counsel for the petitioner whether the charge has been framed or not, learned counsel for the petitioner submits that he is not aware about the fact whether the charge has been framed or not.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty



thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Ashwini/-

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