

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71161 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- CHHATAUNI District- East Champaran

AKASH KUMAR S/O KANHAIYA PANDIT R/O VILLAGE- BADA
BARIYARPUR, P.S- CHHATAUNI, DISTRICT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rahul Singh, Advocate
		Mr. Roop Kishan, Advocate
For the Opposite Party/s :		Mr. Chandra Sen Prasad Singh, APP
		Mr. Rakesh Kumar No.1, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 05-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no. 782 of 2023, arising out of Chhatauni P.S. Case no. 124 of 2023 registered under sections 307, 341, 323, 324, 504, 506, 379 and 34 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

3. As per the prosecution case, the informant states that the six named accused persons including the petitioner herein as also Lucky Kumar and Lalbabu Rai all surrounded her husband and as a result of assault with knife, he died in course of treatment.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case for oblique



reasons. The manner of occurrence is other than what has been narrated in the FIR. Co-accused Lalbabu Rai has been enlarged on anticipatory bail vide order dated 18.1.2024 passed in Cr. Misc. no.84569 of 2023 while Lucky Kumar has been enlarged on regular bail vide order dated 22.1.2024 passed in Cr. Misc. no.75277 of 2023. The petitioner is in custody since 10.3.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation against the petitioner in the FIR, grant of anticipatory and regular bail to the above named co-accused, the petitioner having remained in custody for more than 11 months since 10.3.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.782 of 2023 (arising out of Chhatauni P.S. Case no.124 of 2023) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XII, East Champaran, Motihari.

(Partha Sarthy, J)

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