

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71379 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- AWTARNAGAR District- Saran

Akhilesh Ray @ Akhilesh Yadav Son of Prabhu Ray @ Prabhu Nath Ray
Resident of Village -Jhauwa Tola (Jhoua Tola), Police Station- Awatar Nagar
in the District of Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar Singh, APP
For the Informant	:	Mr. Awadhesh Kumar Pandey, Advocate
	:	Mr. Abhishek Kumar Verma, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-11-2024 Heard learned counsel for the petitioner and learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Awatar
Nagar P.S. Case No. 85 of 2023 instituted for the offences under
Sections 302, 120B of the Indian Penal Code.

3. Allegation against the petitioner is of assaulting the
deceased due to which he sustained injuries and died.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submits that general and
omnibus allegation has been made against the petitioner. No
specific overt act is alleged against the petitioner. Learned



counsel further contended that deceased died due to shock which is also evident from the post-mortem report of the deceased, in which doctor has opined that cause of death due to sudden cardiac arrest leading to cardio-respiratory failure. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.08.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the material available in the case diary as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Awatar Nagar P.S. Case No. 85 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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