

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75277 of 2023**

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

Lucky Kumar @ Lakki Kumar Son Of Lal Babu Rai @ Panchu Rai Village-  
Bada Bariyarpur, Ps- Chhatauni Dist- E.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      22-01-2024                      Heard   learned   counsel   for   the   petitioner,  
  
informant and learned A.P.P appearing on behalf of the  
  
State.

The petitioner is languishing in custody in a  
  
case registered for the offences punishable under  
  
Sections 341, 323, 324, 307, 504, 506, 379, 34, 302  
  
of the Indian Penal Code.

It is a case of commission of murder of the  
  
husband of the informant by all the F.I.R named accused  
  
persons including the petitioner.

It is submitted by learned counsel for the  
  
petitioner that petitioner is innocent and he has falsely



been implicated in this case. The informant is not the eye witness to the occurrence. For the alleged occurrence of 28.02.2023, F.I.R was registered on 03.03.2023 without explaining the delay. From bare perusal of the F.I.R, it appears that there is general and omnibus allegation of inflicting knife to the deceased is against the petitioner and others. The postmortem report does not corroborate the case of the prosecution. The petitioner is languishing in custody since 08.05.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, other similarly situated co-accused has been granted bail by a coordinate Bench of this Court vide order dated 18.01.2024 passed in Cr. Misc. No. 84569 of 2023.

*In contra*, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period



under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Chhatauni P.S. Case No. 124 of 2023.

**(Sunil Kumar Panwar, J)**

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