

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85965 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- AWTARNAGAR District- Saran

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Lalu Rai Son Of Late Ram Lagan Rai R/O Vill - Santha, P.S. - Awatarnagar,
Distt. - Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv

For the Opposite Party/s : Mr.Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-01-2024 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner seeks regular bail in connection
with Awatarnagar P.S.Case No. 63 of 2023 for the offence
registered under Sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, all the co-accused
persons and the petitioner were keeping their cattle in the
field which was claimed by both the parties to be their own
field. Upon protest the co-accused persons including the
petitioner assaulted the father of the informant by lathi and
danda and they also crushed his stomach on account of
which he badly injured. During his treatment in the hospital
he died.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. The post mortem report of the deceased does not corroborated the allegation made in the FIR as only one abrasion injury was found on the person of the deceased. There is general and omnibus allegation against the petitioner The occurrence took place on 27.02.2023 and the FIR was lodged on 02.03.2023 after death of the deceased and there is no eye witness of the alleged occurrence. The petitioner has no criminal antecedent and is in custody since 12.07.2023.

5. Learned APP for the State Opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of the parties, let the petitioner, above named, be enlarged on bail on furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class Saran at Chapra in connection with Awatarnagar P.S.Case no. 63 of 2023.

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(Sunil Dutta Mishra, J)

