

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81946 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- AURAI District- Muzaffarpur

RAJA BABU RAI Son of Ram Pramod Rai R/o vill - Jonki Bujurg (Joki Khurd), P.S. - Aurai, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Adv.

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Aurai P.S. Case No.114 of 2023 lodged under Sections 302/34 of the I.P.C. read with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been lodged against three named accused persons including the petitioner. It has been alleged by the informant in the F.I.R. that the petitioner along with others had killed the husband of the informant due to the reason that the present petitioner has illicit relation with another accused persons and they were also involved in the sale of wine.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that from the F.I.R., it is crystal clear that the case has been lodged merely on suspicion. He submits that in the rejection



order, the Sessions Court has observed that in paragraph 4, material has come against the petitioner and the said material only indicates that he was coming towards the place of occurrence and there is no eye witness.

5. Counsel for the petitioner submits that petitioner is in custody since 21.05.2023 having one criminal antecedent in which he is on bail.

6. Upon specific query whether charge has been framed or not. Counsel submits that as per his knowledge, charge has not been framed till date.

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

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but 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 Judicial Magistrate 1st Class, Muzaffarpur in connection with Aurai P.S. Case No.114 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

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(Dr. Anshuman, J.)

