

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79999 of 2023

Arising Out of PS. Case No.-327 Year-2023 Thana- PAROO District- Muzaffarpur

PRAKASH RAI @ PRAKASH KUMAR Son of Deolal Rai R/o vill - Chapra
Ash, P.S. - Paroo, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 342, 323, 324, 325, 307, 302, 504 of the Indian Penal Code.

3. It is a case of commission of murder of the informant's son Mantosh. On 24.7.2023, the petitioner along with co-accused persons surrounded the informant and started assaulting. When the son of informant came to save his father, co-accused Rambabu and Lalbabu assaulted son of informant by means of sword due to which he succumbed to injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Both parties are agnates and there is land dispute between them due



to which the petitioner has falsely been implicated in this case. From perusal of FIR, it appears the specific allegation of assaulting to the deceased Mantosh is against co-accused Rambabu and Lalbabu. There is only general and omnibus allegation of assaulting against this petitioner. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 22.7.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Paroo P.S. Case No. 327 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class (West), Muzaffarpur.

(Sunil Kumar Panwar, J)

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