

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7712 of 2015

Arising Out of PS.Case No. -234 Year- 2014 Thana -SAHPUR District- BHOJPUR

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Udai Rai @ Uday Nath Rai Son of Late Radha Kishan Rai Resident of
village - Sarangpur, P.S. Sahpur, District - Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 04-03-2015

Heard learned counsels for the petitioner,

State and the informant.

The petitioner is languishing in custody since 15.09.2014 in a case registered for the offences punishable under Sections 147, 148, 149, 302 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that four accused persons including the petitioner were sitting in the maize field when co-accused Mantu Rai caught hold of the son of the informant and on the instigation of this petitioner, Uma Shankar Rai fired from rifle as a result the son of the informant died on the spot.

It is submitted by learned counsel for the petitioner that the accusation is firing is only against Uma Shankar

Rai.

Considering the fact that the specific accusation of overt act is only against co-accused Uma Shankar Rai, let the above named 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sahpur (Bahoranpur) P.S. Case No. 234 of 2014.

Since the petitioner is accused in two other cases, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he substantially gets involved in some serious nature of the offence or defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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