

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47397 of 2015

Arising Out of PS.Case No. -40 Year- 2015 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Badal Rai @ Satyadeo Rai Son of late Jagat Rai Resident of Village-
Faizullahpur P.s Baikunthpur District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. T.P.Mandal(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 10-12-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 302, 307, 323, 341, 342, 147, 148 and
120B of the I.P.C

Allegedly, in the occurrence the petitioner shot
Shiresh Rai, the father of the informant on his chest causing his
death.

Submission is of false implication due to land dispute
and that there was free fight between the parties. Rajendra Rai was
also killed by the informant side and for that Baikunthpur P.S.
Case No. 42 of 2015 has been registered. The petitioner is in
custody since 08.03.2015. Charge sheet has already been

submitted and there is no chance of tampering with the prosecution evidence. The other co-accused Sattan Rai and ors have been allowed bail vide Cr. Misc. No. 29843 of 2015.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner is the main assailant and the case of the petitioner is on different footing from those co-accused.

In the facts and circumstances as stated above, considering that the petitioner is the main assailant, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with S. Tr. No. 385 of 2015 arising out of Baikunthpur P.S. Case No. 40 of 2015 pending in the court of VIIth A.D.J. Gopalganj.

Abhay/-

(Jitendra Mohan Sharma, J)

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