

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.378 of 2015

Arising Out of PS.Case No. -134 Year- 2009 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

Uma Rai @ Uma Shankar Rai, Son of Late Raja Ram Rai, Resident of
Village – Katkuiya Tola Ghosukpur, P.S. – Chiraiya, District – East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 08-01-2015 Learned counsel for the petitioner is permitted to
make necessary corrections in paragraph-1 of the bail petition.

Heard both sides.

The petitioner Uma Rai @ Uma Shankar Rai seeks
bail in Ghorasahan P.S. Case No. 134 of 2009, registered for the
offences punishable under Sections 147, 148, 149, 307 and 302 of
the Indian Penal Code and Section 27 of the Arms Act.

The informant Umesh Yadav alleged that on
20.08.2009, he along with his uncle Ram Naresh Rai and others
were returning on two motorcycle and when they reached near the
place of occurrence eight persons on three motorcycle came there
and intercepted the informant. The informant identified Satya
Narain Rai, Rama Shankar Rai, Ramakant Rai, Vidya Rai,

Nagendra Rai and the petitioner. The informant alleged that Satya Narain Rai and Rama Shankar Rai fired which hit on the back side of head of Ram Naresh Rai. Ramakant Rai again fired which hit on the right side of back of the informant. Ram Naresh Rai died during course of treatment.

It is submitted that during course of investigation, the police did not find the case true against the petitioner and submitted final form. The learned Chief Judicial Magistrate took cognizance differing with the finding of the investigating officer. There is no allegation of firing against the petitioner.

It appears that the allegation of firing is against Rama Shankar Rai, Satya Narain Rai and Ramakant Rai. No allegation of firing is made against the petitioner.

Considering the facts aforesaid, the petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge, Motihari in connection with Ghorasahan P.S. Case No. 134 of 2009.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--