

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8797 of 2015

Arising Out of PS.Case No. -118 Year- 2013 Thana -DUMRA District- SITAMARHI

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Ramjee Rai @ Ramji Rai Son of Ram Naresh Rai Resident of Village-
Vishwanathpur, P.S.- Dumra, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Binod Kr. 3 (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-04-2015

Heard both sides.

The petitioner seeks bail in a case under Section 302 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant disclosed that he got information that his father and one unknown person were shot dead. The informant further disclosed that one Raj Kumar Jha and Anurodh Jha must have killed his father, Vaidyanath Sah, and another person, namely, Bhag Chandra Dubey. It is submitted that the petitioner is not named in the F.I.R. Name of the petitioner figured in the case after two years of the occurrence, that too, on the basis of the confessional statement of the petitioner. Learned Sessions Judge has rejected the prayer for bail of the petitioner relying on the statements made in Paras 11, 12, 13 of the supplementary case

diary but, on perusal of the aforesaid statements of the witnesses, namely, Visheshwar Paswan, Uma Shankar Mandal and Sogarath Mahto, it appears that they have heard that Ramji Rai (the petitioner) killed Vaidyanath Sah and Bhag Chandra Dubey. It appears that there is no eye witness of the occurrence.

Considering the facts aforesaid, the above named 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 Chief Judicial Magistrate, Sitamarhi in Dumra P.S. Case No. 118/2013.

(Prabhat Kumar Jha, J)

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