

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56970 of 2015

Arising Out of PS.Case No. -100 Year- 2012 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

Rajiv Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Shankar Prasad Yadav, Adv.

For the Opposite Party/s : Mr. Awdhesh Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case initially registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code subsequently Section 302 IPC was also added.

The prosecution case is that on 20.08.2012 the informant was sleeping at his door when co-accused Pankaj Rai and Deepak Rai came and poured some red coloured powder on the body of the informant when Pankaj Rai and Deepak Rai caught hold of the informant and Sanjeet Rai, Sujeet Rai and the petitioner lit fire on the body of the informant.

It is submitted by learned counsel for the petitioner that for the occurrence of 20.08.2012, the FIR was lodged on 19.09.2012. On conclusion of investigation, the petitioner was not

sent up for trial since during investigation it was transpired that the informant, while manufacturing explosive, received explosive burn injury but differing with the final form, cognizance has been taken.

It is submitted by learned counsel for the petitioner that the family of the petitioner was on inimical terms with the informant from before. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the petitioner was not sent up for trial on conclusion of investigation, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Hajipur, Vaishali in connection with Raghapur (Rustampur O.P.) P.S. Case No. 100 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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