

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29843 of 2015

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

- =====
1. Satan Rai @ Sattan Rai
2. Akshay Lal Rai, Both sons 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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with

Criminal Miscellaneous No.40873 of 2015

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

- =====
1. Maksudan Prasad son of late Rama Prasad Resident of village -
Faijullahpur, P.S. Baikunthpur, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.29843 of 2015)

For the Petitioner/s : Mr. Uday Pratap Singh

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

(In Cr.Misc. No.40873 of 2015)

For the Petitioner/s : Mr. Naresh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 27-10-2015 Both the above stated petitions have arisen out of

Baikunthpur P.S. Case No. 40 of 2015 registered for the offences

punishable under Section 302 and other minor sections of the

Indian Penal Code as well as Section 27 of the Arms Act and

accordingly, both the above stated petitions are being disposed of

by this common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners are named in the first information report and according to prosecution case itself, deceased, Sirish Rai sustained firearm injury at the hands of accused, Badal Rai. So far as petitioners in Cr. Misc. No. 29843 of 2015 are concerned, it is alleged that they along with co-accused, Upendra Rai and Pramod Rai assaulted the deceased, Rajendra Rai with different weapons when the aforesaid deceased intervened into the matter.

So far as petitioner in Cr. Misc. No. 40873 of 2015 is concerned, it is stated that he happens to be conspirator of the present case.

Learned counsel appearing for the petitioners drew my attention towards Annexure-2 to Cr. Misc. No. 29843 of 2015 and submitted that wife of deceased, Rajendra Rai lodged Baikunthpur P.S. Case No. 42 of 2015 in respect of murder of deceased, Rajendra Rai and in the said case, she levelled allegation against the prosecution party of the present case for committing the murder of her husband.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above

named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No. 40 of 2015.

(Hemant Kumar Srivastava, J)

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