

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47968 of 2014

Arising Out of PS.Case No. -175 Year- 2013 Thana -BAIKUNTHPUR District- GOPALGANJ

Ramjee Puri Son of late Basudeo Puri, Resident of Village- Singhasani,
P.S.- Baikunthpur, District- Gopalganj

.... Petitioner/s

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

with

Criminal Miscellaneous No.48952 of 2014

Arising Out of PS.Case No. -175 Year- 2013 Thana -BAIKUNTHPUR District- GOPALGANJ

Ramayan Rai @ Ramayan Dealer son of late Shiv Bachan Rai resident of
Village Bahrapur, P.S. Baikunthpur, District Gopalganj.

.... Petitioner/s

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

Appearance:

(In Cr. Misc. No.47968 of 2014)

For the Petitioner/s : Mr. Ram Kumar Singh, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

(In Cr. Misc. No.48952 of 2014)

For the Petitioner/s : Mr. Hemant Kumar, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 27-03-2015 Criminal Miscellaneous No.47968 of 2014 wherein

Ramjee Puri happens to be the petitioner while in Criminal

Miscellaneous No.48952 of 2014 wherein Ramayan Rai @

Ramayan Dealer happens to be the petitioner commonly originate

out of Baikunthpur P.S. Case No.175 of 2013 and on account

thereof, both have been heard together and are being disposed of

by a common order.

Two persons were murdered as well as house of

Nand Kishroe (deceased) was blown up by the miscreants out of



whom some including petitioner Ramjee Puri have been properly identified along with their activity during course of commission of crime. However, petitioner Ramayan Rai @ Ramayan Dealer is not named in the FIR. From the order impugned, it is evident that co-accused Lalan Raut, during course of his inculpatory extra judicial confessional statement recorded under para-20 of supplementary case diary had named the petitioner Ramayan Rai @ Ramayan Dealer.

On account thereof, petitioner Ramayan Rai @ Ramayan Dealer is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No.175 of 2013.

So far plea of Ramjee Puri is concerned it has been submitted on behalf of petitioner that he happens to be an old fellow and is under since 21-02-2014. It has also been submitted that no specific allegation has been attributed against him. It has further been submitted that he has purposely been introduced on account of animosity prevailing amongst the parties since long. As such, prayed for bail.

The learned Additional Public Prosecutor opposed the prayer and submitted that manner of occurrence suggest

execution in brutal manner under pre-planned game.

Gone through the case diary. From the FIR itself it is apparent that petitioner's presence is there by way of he along with others had gone into the house of Nand Kishore and then, after assaulting the inmates of the house, dragged them out and subsequently thereof, the house was blown. It has further been disclosed that in same sequence after tying hand and leg of Nand Kishore Yadav miscreants have fired indiscriminately upon him including the petitioner. The aforesaid event has been reiterated by the witnesses during course of investigation.

Taking into account the nature of occurrence and the part played by the petitioner, I do not see it a fit case for grant of bail, accordingly prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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