

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17909 of 2016

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

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1. Sat Narayan Rai @ Satya Narayan Rai S/o Late Raghu Rai resident of
Village - Katkuiya Tola Ghushukpur, P.S. - Chiraiya, District - East
Champaran..... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 24-06-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Ghorasahan
P.S. Case No. 134 of 2009 registered for the offences punishable under
Sections147, 148, 149, 307 of the Indian Penal Code and Section 27 of
the Arms Act.

The petitioner and five others are named in the first
information report with allegation that they along with two unknown
due to previous enmity after surrounding the informant and his uncle
Ramanath Rai caused firearm injury to both wherein the petitioner and
Uma Shankar Rai have opened fire and subsequently Ramnath Rai died
during treatment.

Submission is of false implication and that during
investigation the prosecution story has not been found true and
accordingly, after completing investigation the petitioner was not sent

up for trial and chargesheet was submitted only against Ragho Mahto and Brij Kishroe Mahto and as such the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that from perusal of the first information report and the statement of witnesses it reveals that the petitioner has caused firearm injury.

In the facts and circumstances stated above, considering that after completing investigation the petitioner was not sent up for trial and further considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sudhir Sinha, J. M. Ist class, Sikrahna at Motihari in connection with Ghorasahan P.S. Case No. 134 of 2009, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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