

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54137 of 2015

Arising Out of PS.Case No. -32 Year- 2015 Thana -AKILPUR District- PATNA

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1. Subodh Rai Son of Awadhesh Rai Resident of Village - Nakta Diyara,
P.S. - Digha, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 11-04-2016 Supplementary affidavit has been filed on behalf of

the petitioner. Let it be kept on the record.

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 342, 323, 326, 307, 379 and 504/34 of
the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioner, co-accused Somnath Rai and
Vikash Rai shot the informant which hit in his left temporal region
resulting the informant fell down.

Submission is of false implication and that the
allegation of firing has been made against three accused but only
one lacerated wound has been found though grievous in nature
caused by gun shot and as such the petitioner only cannot be made

responsible for that injury, other co-accused, namely, Awadhesh Rai, Kamal Rai and Sanoj Rai have been allowed pre-arrest bail by the learned court below itself and as such the petitioner who is suffering in custody since 30.06.2015 also deserves sympathetic consideration. It is also submitted that the petitioner is the only competent member of his family and he has to perform the marriage of his sister.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering detention of the petitioner and further that charge sheet has already been submitted and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Shyamal Kumar J.M. 1st Class, Danapur in Akkilpur P.S. Case No. 32 of 2015, 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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