

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38444 of 2016

Arising Out of PS.Case No. -621 Year- 2015 Thana -DANAPUR District- PATNA

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Vivek Rai @ Vivek Kumar, Son of Seth Rai, Resident of Village- Kampany
Bagh, Police Station- Danapur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 11-11-2016 Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Section 302 and other allied sections of

the Indian Penal Code and Section 27 of the Arms Act.

Petitioner is named in the first information report but

only general allegation of firing has been made against him. The

informant, who later on died in course of his treatment, stated in

his ferdbeyan as well as further statement that it were co-accused,

Manoj Sharma and Ganesh Sao, who caused firearm injury to him.

So far as injured, Shanti Devi is concerned, she has stated before

the investigating officer that it was co-accused, Lotha Gope, who

opened fire on her causing firearm injury.

No doubt, petitioner carries criminal antecedent but considering the facts and circumstances of the case as well as this aspect of the matter that having more or less similar allegation, some co-accused have already been granted privilege of bail whereas petitioner is in jail custody since 18.01.2016, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VII, Danapur, Patna in connection with Sessions Trial No. 467 of 2016 arising out of Danapur P.S. Case No. 621 of 2015.

(Hemant Kumar Srivastava, J)

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