

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50955 of 2016

Arising Out of PS.Case No. -53 Year- 2014 Thana -GANGABRIDGE District-
VAISHALI(HAJIPUR)

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Sujit Kumar @ Sujit Rai, son of Surendra Rai, Resident of Village- Saidpur
Terasia, P.S.- Ganga Bridge, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner seeks bail in connection with Ganga Bridge P.S.
Case No.53 of 2014/G.R. No.2148 of 2014 registered under Sections
147, 148, 149, 341, 323, 427, 506, 307 and 302 of the Indian Penal
Code besides Section 27 of the Arms Act.

The accusation is that 19 persons, named in the F.I.R.,
including the petitioner armed with lathi, rod and illegal firearms
reached at the door of the informant and started to abuse and damage
the boundary wall. When the informant made protest then on the order
of Devendra Rai, his sons, namely, Sanjeet Rai, Praveen Kumar and
Arvind Rai shot fire through country made pistol at Arvind Rai, the
nephew of the informant, who fell down sustaining firearm injury.



Thereafter, this petitioner also shot fire at Arvind Rai, the nephew of the informant, who, later on, died.

Learned counsel appearing on behalf of the petitioner submits that earlier the prayer of the petitioners for grant of bail has already been rejected vide order dated 25.04.2016 passed in Criminal Misc. No.13794 of 2016 on merit by this Court. Further submission is that while there is specific allegation against Sanjeet Rai, Praveen Kumar and Arvind Rai, all sons of Devendra Rai, to shot fire at the deceased Arvind Rai, the nephew of the informant, on the order of Devendra Rai and, thereafter, this petitioner also fired at the deceased but in the post-mortem report of the deceased only one firearm injury was found. In fact, the petitioner has falsely been implicated in this case.

Having regard to the facts and the circumstances of the case, the petitioner, above named, 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 the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Ganga Bridge P.S. Case No.53 of 2014/G,R, No.2148 of 2014.

(Rajendra Kumar Mishra, J)

P.S./-

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