

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24390 of 2017

Arising Out of PS.Case No. -310 Year- 2013 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

=====

Rahul Rai Son of Sharma Rai @ Sami Rai resident of Village -
Ahirawaliya, P.S. - Chakia, District - East Champaran.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

=====

Appearance:

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 22-05-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Chakia
P.S. Case No. 310 of 2013 registered under Sections 394 and 307
of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioner along
with other accused persons is said to have looted the motorcycle of
the informant by resorting to firing on him by means of pistol.

It is submitted by learned counsel for the petitioner
that there is inordinate delay of one month in filing F.I.R. The
petitioner is not named in the F.I.R., but his name has been
mentioned in further statement by the informant after 48 days of
the alleged occurrence. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.



Co-accused, namely, Chandan Kumar has not been sent up for trial. The looted motorcycle was not recovered from the possession of the petitioner. The petitioner is languishing in custody since 22.12.2016.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Chakia P.S. Case No. 310 of 2013.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

