

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37961 of 2017**

Arising Out of PS.Case No. -371 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

=====

Mangaru Rai Son of late Ranjit Rai, Resident of Village-Ratanpura,  
Bintoliya, Police Station-Chapra Muffasil, District-Saran at Chapra.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Narendra Kumar  
For the Opposite Party/s : Mr. Smt. Reena Sinha

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      22-09-2017      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail in connection with Chapra Muffasil  
P.S. Case No. 371 of 2016 for offences punishable under Sections  
302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is  
that while her husband Dohari Rai (deceased) had gone in the  
morning at 7 A.M. in his cycle for selling milk she got information  
that her husband has been killed on the road. It is alleged that the  
petitioner along with his sons who are Dewar and Dewar's sons  
had killed the informant's husband because she wanted to give  
land to her two daughters and there was a dispute between her



husband and the petitioner and his sons ten days back.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been implicated only on the basis of suspicion. He submits that none of the independent witnesses have supported the prosecution case and only interested witnesses have supported the prosecution story. He submits that there is no eye witness to the alleged occurrence and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner who is languishing in judicial custody since 28.04.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra P.S. Case No. 371 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating



his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

**(Nilu Agrawal, J)**

Devendra/-

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