

.IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55599 of 2017

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

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1. Santosh Rai Son of Mangaru Rai, R/o Village- Ratanpura, Bintoliya,
P.S.- Chapra Muffasil, District- Saran at Chapra.

.... Petitioner/s

Versus

1. 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. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 30-11-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Chapra Muffasil P.S. Case No. 371/2016 dated 08.10.2016 instituted for the offences under Sections 302/34 of the Indian Penal Code read with Section 27 of the Arms Act.

The informant is the wife of the deceased, who was allegedly shot dead by the petitioner and two others. The F.I.R. reveals that while the husband of the informant had gone out to sell milk, he was killed. In the F.I.R., it has been alleged that the brother of the deceased, viz. Mangru Rai and his two sons, viz. Lalji Rai and Santosh Rai (Petitioner) were demanding that the land belonging to the deceased should not be given to the daughter of the informant and the deceased. The informant and the deceased



were also threatened of being killed if the land belonging to them would be alienated.

Taking into account the fact that there was no eye-witness of the occurrence and there is no material except suspicion of the informant, co-accused Mangru Rai, who is father of the petitioner has been granted bail by a co-ordinate Bench of this Court by order dated 22.09.2017 passed in Cr. Misc. No. 37961/2017. The case of the petitioner stands exactly on similar footing and he has no criminal antecedent. He is in custody since 28.04.2017. This Court is thus inclined to grant bail to him as well.

The petitioner above named is directed to be released on bail on his 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, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 371/2016.

(Ashutosh Kumar, J.)

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