

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17009 of 2017

Arising Out of PS.Case No. -336 Year- 2016 Thana -PIRO District- BHOJPUR

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1. Deepu Rai @ Anresh Rai @ Amresh Rai, Son of Ram Nath Rai,
resident of Village- Rajmaldih, Police Station- Sikarhatta, District- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate

For the Opposite Party : Mr. Sri Panchanand Pandit (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 02-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Piro P.S Case
No. 336 of 2016 registered for the offences punishable under Sections
302, 385, 387, 449, 460/34 of the Indian Penal Code and Section 27 of
the Arms Act.

Allegedly, the petitioner and other three F.I.R. named
accused parsons entered into the house of the informant after breaking
the door and shot fire on Ujjawal Kumar to which he succumbed, on
hearing sound of firing, the informant came in her courtyard and saw
that co-accused Sahshi Bhusahn Rai and Pramod Rai were having pistol
and caused threats to kill all the family members one after another if the
case will not be withdrawn.

Submission is of false implication and that there is no
specific allegation against the petitioner, it has not come that whether



the petitioner was armed with fire arm or not, only Shashi Bhushan Rai and Pramod Rai have been specifically named that they were having pistol and caused threats, only one injury has been found on the person of the deceased, the petitioner is suffering in custody since 10.12.2016, chargeheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner has got no criminal antecedent and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st Bhojpur, in connection with Piro P.S. Case No.336 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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