

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34373 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -BHAGWANPUR District- BEGUSARAI

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1. Rajnish Rai @ Rajnish Kumar Son of Late Hare Ram Rai, resident of Village- Narharpur, Tajpur, Punarwas, P.S.- Bhagwanpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in jail since 18.08.2016 in a case registered for the offences punishable under Sections 341, 323, 307, 379 and 34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that two persons namely, Ranjeet Rai and Rajneesh Rai came on his field and offered him to come to Harichak by motorcycle and during the journey in the way on the order of Rajneesh Rai, the other stabbed the informant and he fell down.

It has been submitted by the learned counsel for the petitioner that he is innocent has not committed any overt act and the injury has not been caused by him rather, co-accused Ranjeet Rai who has been granted the privilege of bail in Cr. Misc. No.



45112 of 2016 dated 21.12.2016. It is further submitted that charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

However, learned counsel for the State opposes the prayer for bail stating therein that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bhagwanpur P.S.Case No. 40 of 2016, subject to the conditions that one of the bailors would be a close relative of the petitioner and the other bailor would have sufficient immovable property within the jurisdiction of the concerned Police station/ Court, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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