

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52484 of 2017

Arising Out of PS. Case No.-282 Year-2017 Thana- DIGHA District- Patna

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Dudheshwar Rai S/o Late Budha Rai, R/o Ghordudh Road, Subhash Marg,
P.S.- Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. SIR PAWAN KUMAR CHAURASIYA

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and the

State.

Petitioner seeks bail in **Digha P.S. Case No. 282 of 2017** for the offence punishable under Sections 141, 145, 146, 147, 148, 149, 114, 115, 342, 323, 307, 353, 395, 397, 186, 332, 333, 336, 337, 338, 427 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioner that the petitioner is suffering from acute diseases like diabetes, chest problem, hypertension and thyroid and his ill health does not permit him to do such type of occurrence. It has been further submitted that at the time of occurrence the petitioner was confined himself in his house. The petitioner had earlier filed representation before the Senior Superintendent of Police about



the atrocities committed by the Rajiv Nagar Police in Rajiv Nagar P.S. Case No. 169 of 2016, and due to this petitioner has been falsely implicated in this case. Learned counsel for the petitioner further submits that for the same occurrence two FIR's had been lodged i.e. Digha P.S. Case No. 282 of 2017(case in hand) and Digha P.S. Case No. 283 of 2017. Learned counsel for the petitioner further submits that similarly situated co-accused person Manikant Chaudhary has been granted bail by a co-ordinate bench of this Court vide order dated 09.11.2017 in Criminal Miscellaneous No. 49627 of 2017. The petitioner is in custody since, 06.09.2017.

Learned APP for the State opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate, Patna** in connection with **Digha P.S. Case No. 282 of 2017.**

(S. Kumar, J)

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