

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33443 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -NAYAGAON District- SARAN

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BRIJ MOHAN RAI, S/o- Suraj Rai, Resident of Sabalpur, P.S.- Sonapur,
District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

03 05-06-2018

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Nayagaon Police Station Case No. 08 of 2017, disclosing offences under Sections 302 and 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

Learned counsel for the petitioner has submitted that, the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the allegation was against the co-accused Shivratana Rai, who fired from his fire arm causing injury on the right side of the chest of the informant's wife. The petitioner does not have any enmity with the family of the deceased. Moreover, the case has been compromised between the parties so there is nothing remains



against the petitioner to be prosecuted in this case. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released 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 Additional Chief Judicial Magistrate XIII, Chapra, in connection with Nayagaon Police Station Case No. 08 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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