

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.12298 of 2018**

Arising Out of PS.Case No. -162 Year- 2015 Thana -MAHESI District-  
EASTCHAMPARAN(MOTIHARI)

=====

Chandan Rai S/o Kameshwar Rai, R/o Village- Amwa, P.S.- Mehsi,  
District- East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**  
ORAL ORDER

02/ 28-02-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in  
a case registered for the offences punishable under Sections 341,  
323, 307, 504, 506/34 of the Indian Penal Code and Section 27  
of the Arms Act.

The prosecution case got initiated with the  
written report of Md. Islam dated 21.09.2015 submitted to the  
Station House Officer of Mehsi P.S. is to the effect that on  
20.09.2015 Kamleshwar Rai, Rajkumari Devi and Mintu Kumari  
came, abused and threatened to get killed through their son. On



the same day at 9.00 P.M. four persons namely, Kameshwar Rai, Basant Rai, Pankaj Rai and Chandan Rai, the petitioner came on motorcycle and resorted to fire at the informant. He did not receive any injury. However, the ox of the informant received gun shot injury and due to the sound of firing the mother of the informant died.

It is submitted by learned counsel for the petitioner that as per own admission of the informant no injury has been caused to anyone. The accusation of firing is not specific against anyone. It is further submitted that the petitioner is accused in other case under Excise Act, but he is on bail in that case but with regard to grant of bail no statement has been made in paragraph 3 of the petition.

Considering the nature of accusation and the motive of the occurrence as stated in the first information report coupled with the fact that none received any injury, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-6<sup>th</sup>, Motihari, East Champaran in connection



with Mehsi P.S. Case No. 162 of 2015, subject to the conditions  
as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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