

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60996 of 2017

Arising Out of PS. Case No.-83 Year-2017 Thana- RAGHOPUR District- Vaishali

1. Manoj Rai, S/o Pradeep Ray,
2. Dinesh Rai, S/o Ram Babu Rai, Both R/o Village- Neerampur,
P.S.- Raghapur, District- Vaishali. Petitioner/s
Versus
The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha
For the Opposite Party/s : Mr. RAJEEV NAYAN

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 12-03-2018 Counsel for the petitioners is permitted to make necessary correction in paragraph 3 of the main application in the light of supplementary affidavit in course of the day.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 302/34 of the Indian Penal Code, 27 of the Arms Act and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the accused persons gathered at the bathan of the informant and tried to consume the liquor and on being protested, killed the deceased.

There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is no overt act alleged



against the petitioners. All the accused persons are said to be in a drunken state. Co-accused namely Dasrath Rai is alleged to be the order giver. Co-accused Panchu Rai is alleged to have caught hold of the deceased and Jagbali Rai and Dasrath Rai are alleged to have fired upon the deceased. No injury is alleged to have been attributed to the petitioners. The petitioners have been dragged in the present case due to village politics.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 83/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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