

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44305 of 2018

Arising Out of PS. Case No.-274 Year-2017 Thana- MAHNAR District- Vaishali

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Ramdaresh Rai, S/o Ram Pravesh Rai, R/o Vill.- Ishahakpur, P.S.- Mahnar,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 24-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120 (B)/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The allegation is that unknown accused persons
having shot at the father of the informant resulting in his death.
It is stated that according to the CCTV footage, three persons
had first arrived in the shop and thereafter one person had alone
come to the shop, whereafter, the fire is said to have been made
on the deceased.

The learned counsel for the petitioner submits that
though the informant has stated that in case, the accused persons
are brought before him, he would recognize the accused



persons, however, no Test Identification Parade has taken place till date. It is further submitted that the materials which have been gathered during the course of investigation, do not prima facie implicate the petitioner in the alleged crime. The petitioner is said to be having a clean antecedent and he is languishing in custody since 17.01.2018. It is further submitted that co-accused person has already been granted bail.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Mahnar Police Station Case No.274 of 2017, subject to condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below and the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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