

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23789 of 2018

Arising Out of PS. Case No.-34 Year-2017 Thana- JURAWNUPUR District- Vaishali

Shiv Chandra Rai S/o Late Gulabi Rai, R/o Village- Raghupur East, Ward No. 5,
P.S.-Jurawanpur, 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. Smt. Anusuiya Jaiswal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

6 14-08-2018 Heard learned counsel for the petitioner, learned counsel
for the State as well as learned counsel for the informant.

The petitioner, who is in custody, seeks bail in connection with Jurawanpur P.S. Case No. 34 of 2017 registered for the offence punishable under Sections 147, 149, 324, 307, 302, 504, 506, 452 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged in his fardbeyan that on 19.06.2017 at about 01.05 PM he was digging soil when petitioner came there with farsa and assaulted him. He fled away and reached his home then seven named accused persons variously armed reached at his residence and there is specific allegation against Vijay Rai of causing firearm injury on the father of informant and he died on the spot and thereafter allegation is against Munki Rai of causing firearm injury on the nephew of informant Mithilesh Rai who sustained injury in



abdomen and died while being carried to hospital.

It has been submitted on behalf of the petitioner that there is allegation of firing by Shiv chandra Rai (petitioner) on his nephew Mithilesh Rai. According to the postmortem report, there is only one injury found on the person of Mithilesh Rai which proved to be fatal which is attributable to Munki Rai. It has been further submitted that the similarly placed co-accused have been granted bail by a Co-ordinate Bench of this Court as contained in Annexure- 3 series. Petitioner has clean antecedent and he is in custody since 06.12.2017.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

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) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-II, Vaishali at Hajipur, in connection with Jurawanpur P.S. Case No. 34 of 2017.

(S. Kumar, J)

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