

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64513 of 2018

Arising Out of PS.Case No. -679 Year- 2017 Thana -PHULWARISHARIF District- PATNA

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1. Sanjai Rai @ Sanjay Kumar Son of Jai Ram Rai, Resident of Mohalla Karorichak, P.S. & P.O.- Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-10-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with Phulwarisharif P.S. Case No. 679 of 2017 (Sessions Trial No. 427 of 2018) , registered for offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act arising out of G.R. No. 6950 of 2017.

Allegation against the petitioner as per F.I.R. is that he along with his brother-in-law (sala) intercepted the motorcycle of the informant along with her husband and 4-5 unknown persons fired on the husband of the informant and received injuries and ultimately, he died on the way of P.M.C.H.

Submission of the learned counsel for the petitioner is that whatever the allegation of animosity i.e., against Pramod



Kumar and this petitioner and furthermore, the informant has been examined during trial but she has not supported the prosecution case, which will appear from flag “A”, annexed to the supplementary affidavit and she declared hostile and he is in custody since 06.04.2018.

Heard learned A.P.P. opposed the prayer for bail stating that the allegation against the petitioner is of serious nature.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, IV, Patna in connection with Phulwarisharif P.S.Case No. 679 of 2017 (Sessions Trial No. 427 of 2018), subject to the following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- ii) The petitioner will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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