

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22778 of 2018

Arising Out of PS. Case No.-12 Year-2015 Thana- PARSABAZAR District- Patna

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Suresh Rai, Son of Late Lal Das Rai, Resident of Village- Nisarpura, P.S.-
Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Narayan Sharma
For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 18-07-2018 The prayer for bail of the petitioner was earlier
dismissed as withdrawn by order dated 08.12.2017.

The petitioner is the brother of the deceased. The informant who is the son of the deceased, has alleged in the F.I.R. that because of land dispute, the petitioner and another have killed his father. There is a specific allegation in the F.I.R. that the deceased was called by the petitioner and thereafter the petitioner caught the deceased and another brother of the deceased, namely, Anil Rai fired from his weapon. Thereafter, it has been alleged that the petitioner and aforesaid Anil Rai, both, fired at him.

Learned counsel for the petitioner has drawn the



attention of this Court to the post-mortem report of the deceased which reflects that he has suffered two gun shot injuries: one being the wound of entry and the other would of exit and both were communicating with each other. This obviously means that the first shot fired by Anil Rai, a co-accused, was the fatal shot.

The petitioner is in custody since 27.02.2017. This Court has also been informed that in the trial, one witness has been examined.

Regard being had to the aforesaid facts as also taking into account the period of custody of the petitioner, namely, Suresh Rai, he is directed to be released on bail on his furnishing bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the trial court in connection with Parsa Bazar (Sadar Patna) P.S. Case No. 12 of 2015.

It is also made clear that the petitioner shall not absent himself from the trial proceedings and in case he chooses not to appear before the trial court on three consecutive occasions, without sufficient explanation or without seeking permission from the trial court, it will be open for the trial court to proceed for cancellation of his bail. The petitioner shall not get into contact with any one of the witnesses of the case and will not



indulge in any act which would impede the speed / process of
the trial.

(Ashutosh Kumar, J)

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