

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28853 of 2018

Arising Out of PS.Case No. -38 Year- 2017 Thana -MANER District- PATNA

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Vijay Rai @ Bijay Rai Son of Raja Rai @ Rajaram Rai, Resident of
Village- Chakia Tola, Khaspur, Police Station Maner, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Sharma, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-05-2018

Heard learned counsel for the petitioner and learned
counsel for the State.

2. This is the third attempt on behalf of the
petitioner, who is in custody since 01.02.2017 and has renewed his
prayer for bail in connection with Maner P.S. Case No. 38 of 2017
for the offence alleged under Sections 302/34 of the Indian Penal
Code and Section 25(1-b)a, 26 and 27 of the Arms Act having
earlier been rejected by this Court by orders 20.07.2017 and
04.04.2018 in Cr. Misc. No. 29665 of 2017 and Cr. Misc. No. 13903
of 2018 respectively.

3. It is submitted that the petitioner has been falsely
implicated and in any event in a subsequent development similarly
situated co-accused Lalu Rai has been granted bail by order dated
10.04.2018 in Cr. Misc. No. 20918 of 2018. Similarly situated co-
accused Kunal Kumar Rai @ Kunal Rai has also been granted bail by
this Court on 13.03.2018 in Cr. Misc. No. 12091 of 2018. It is
submitted that the accusation against the said two accused is
almost identical with the petitioner.

4. Be that as it may, having regard to the entirety of



the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Danapur, District-Patna, in connection with Maner P.S. Case No. 38 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

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