

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34114 of 2018

Arising Out of PS. Case No.-20 Year-2017 Thana- JURAWNPUR District- Vaishali

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1. Ram Shankar Rai @ Rama Shankar Rai, Son of Raj Narayan Rai,
 2. Sidharth Rai, Son of Ram Shankar Rai @ Rama Shankar Rai.
 3. Pawan Rai, Son of Brij Kishore Rai.
 4. Raj Bali Rai @ Bali Rai, son of Late Raj Narayan Rai.
 5. Abhimanyu Rai @ Mani Rai, son of Late Vishwanath Rai.
 6. Doman Rai, Son of Ganaur Rai.
 7. Babua Lal Rai @ Babu Lal Rai, Son of Late Sadhu Rai. Resident of Village- Shiv Nagar, P.S. Jurawanpur, District- Vaishali at Hajipur.
 8. Binod Singh @ Binod Rai, Son of Raghubansh Singh, Resident of Village- Bidupur, P.S. Bidupur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Kumar
For the Opposite Party/s : Mr. Smt Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 19-07-2018 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Jurawanpur P.S. Case No. 20 of 2017 dated 27.04.2017 instituted for the offences under Sections 341, 323, 324, 325, 307/34, 379 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

Because of a dispute and resultant enmity over the post of School President, an occurrence is said to



have taken place on 26.04.2017.

It has been alleged in the FIR that while the informant was feeding his horse, one Braj Kishore Rai caught him. When the informant wanted to extricate himself from his clutches, then, on the orders of Braj Kishore Rai, Virchandra Rai @ Karn Rai fired from his gun which hit the informant. Thereafter, the petitioners and others, variously armed with rifle and guns, came inside his house, fired from their weapons and took away cash and gold. The miscreants fled away while firing.

Learned counsel for the petitioners has submitted that no specific overt act has been attributed against them. The person who is alleged to have fired from his weapon namely Virachandra Rai @ Karn Rai is a member of the District Board and the informant has been opposed to him right from the election times. Precisely, for this reason, petitioners, who are the associates of aforesaid Virachandra Rai, have also been made accused in this case.

In view of the fact that no allegation of any overt act against the petitioners and the background of enmity between the parties, the petitioners above-named are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt /



production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 8th Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Jurawanpur P.S. Case No. 20 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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