

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48823 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- RAXAUL District- East Champaran

Sheo Kumar Rai, Son of Ram Bilash Rai, Resident of Village- Kaurihar
Bhagwanpur, P.S.- Raxaul, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri Diwakar Prasad Singh, Advocate Sri Kundan Rathore @ Kundan Kumar, Advocate
For the State	:	None

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 18-08-2018 Heard Sri Diwakar Prasad Singh, learned counsel, assisted by Sri Kundan Rathore @ Kundan Kumar, learned counsel for the petitioner. None appeared on behalf of the State.

The sole petitioner, who is in custody since 04.06.2018 in connection with Raxaul P.S. Case No. 74 of 2018, registered for the offence under Sections 341/ 323/ 307/ 504/34 of the Indian Penal Code, 1860 (hereinafter referred to as the “I.P.C.”) has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that petitioner is admittedly elder brother of the informant and due to dispute in respect of land occurrence had taken place. Of-course, according to learned counsel for the petitioner, as per accusation there is no point for application of Section 307 of the



I.P.C., but to the reasons best known to the Police, Section 307 of the I.P.C. has been added in the F.I.R., whereas other provisions of the I.P.C. which have been incorporated in the F.I.R. are bailable and there was case and counter case in between the parties. He further submits that petitioner is having clean antecedent, which fact has been stated in paragraph - 3 of the petition and he is in custody since 04.06.2018.

Considering the nature of accusation and period of custody, let the petitioner - Sheo Kumar Rai be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul at Motihari, East Champaran / concerned court in connection with Raxaul P.S. Case No. 74 of 2018.

(Rakesh Kumar, J)

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