

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27277 of 2019

Arising Out of PS. Case No.-130 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

RAKESH RAI S/o Harendra Rai R/o village- Mosaheb Tola, P.S.- Garkha,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-04-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Mufassil (Chapra) P. S.
Case No. 130 of 2018 instituted for the offence under
Section(s) 382/34 of the Indian Penal Code.

Learned counsel for petitioner submits that petitioner
is not named in the written report. Learned counsel further
submits that petitioner was firstly remanded in Marhowrah P.S.
case no. 112 of 2018 on the basis of confessional statement of
one of the co-accused, namely, Monu Kumar Giri. Thereafter,
the police has apprehended this petitioner in the instant case and
tried to record his confessional statement on suspicion. It is
mentioned in para 5 of the bail petition that police, after arrest,
brutally assaulted the petitioner, as a result of which, he



sustained severe injury on his leg. In this respect, the Court below has issued show cause to the S.H.O. of Garkha, Chapra Mufassil and I. O. of Marhowrah P. S. case no. 112 of 2018.

Petitioner is in custody since 21.7.2018

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-IX, Saran at Chapra , in connection with Mufassil (Chapra) P. S. Case No. 130 of 2018 , Sessions Trial no. 816 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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