

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24861 of 2019

Arising Out of PS. Case No.-247 Year-2018 Thana- GARKHA District- Saran

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DINDAYAL RAI @ DINDYAL RAI Son of Bhola Rai Resident of Village-
Majlishpur, P.S-Garkha, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh, Advocate
For the State : Ms. Gulnar Begum, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 19.12.2019 in connection with Garkha P.S. Case No. 247/2018 registered for the offense punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the main allegation is against one Shailendra Kumar Singh and not the present petitioner. It is further submitted that no particular specific overt act has been attributed to this petitioner whereas the allegation of firing is specifically against one Shailendra Kumar Singh who has since been extended the privilege of bail by a Bench of this Court vide order dated 09.01.2019 passed in Cr. Misc. No. 71439 of 2018. He further submits that the main allegation of killing the deceased is against one Shailendra



Kumar Singh who is said to have shot fire on the deceased Raju Kumar and in the said connection, he has surrendered in the police station with gun and cartridges.

Having considered the entire facts and circumstances of the case and in view of the surrender of Shailendra Kumar Singh and his subsequent grant of bail and also the petitioner's case stands on a better footing if not similar footing, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XIVth, Saran at Chapra, in connection with Garkha P.S. Case No. 247/2018, subject to the following condition:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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