

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41442 of 2019

Arising Out of PS. Case No.-1177 Year-2018 Thana- SONEPUR District- Saran

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1. VIVEK RAI Son of Birendra Rai Resident of Village- Bhinnik Tola, P.S.- Sonepur, District- Saran (Chapra)
 2. Birendra Rai Son of Sita Ram Rai Resident of Village- Bhinnik Tola, P.S.- Sonepur, District- Saran (Chapra)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case instituted for the offences under Sections 147, 148, 149, 447, 341, 323, 307, 302, 504/109 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused persons, variously armed, shot fire at the brother of the informant due to which he lost his life.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 3.4.2019 and petitioner no. 1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Charge-



sheet has been submitted in the present case. Petitioner no 1 is alleged to have caught hold of the deceased. Petitioner no. 2 is said to be member of unlawful assembly. The allegation of firing is alleged against the co-accused namely Pramod Rai. There is no allegation of assault against the petitioner nos. 1 and 2.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, 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. Saran, Chapra in connection with Sonpur P.S. Case No. 1177 of 2018.

(Sudhir Singh, J)

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