

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51021 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- GANGABRIDGE District- Vaishali

BALMIKI RAI, aged about 40 years, Gender-Male, Son of Kapil Rai,
Resident of Village-Terasiya, P.S.-Ganga Bridge, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Prashant Kumar, Advocate.
For the Opposite Party	:	Mr.Ramchandra Sahni, A.P.P.
For the Informant	:	M/S. Kalyan Shankar and Mrs. Smita, Advocates.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 17-08-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner is languishing in custody since 20.06.2019 in a case for the offence registered under Sections 341, 323, 447, 307, 302, 504/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 02.01.2019 at about 9.00 P.M., the informant Awadesh Rai was in his house, in the meantime, co-accused Suresh Rai, Sunil Rai and Balmiki Rai (petitioner) and 4-5 other persons came in his house. The accused persons abused the family members of the informant. They dragged Lalbabu Rai, father of the informant, to the Road. Co-accused Sunil Rai and Balmiki Rai (petitioner) were asking to shot Lalbabu Rai, on which, co-accused Suresh Rai took out



pistol from his waist and fired on Lalbabu Rai and fled away. The injured Lalbabu Rai brought to P.M.C.H. Patna for treatment, where he died, during treatment.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is an order giver. No allegation of assault is alleged against him. The main allegation of firing upon the deceased is against co-accused Suresh Rai.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 the learned C.J.M. Vaishali at Hajipur, in connection with Ganga Bridge P.S. Case No. 11/2019.

(Sudhir Singh, J)

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